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*Edward Earl of CLARENDON Lord High CHANCELLOR of England,
and Chancellor of the University of Oxford A.D. m̄ 1667.*

THE
HISTORY
OF THE
REBELLION and CIVIL WARS
IN
ENGLAND,

Begun in the Year 1641.

With the precedent Passages, and Actions, that contributed thereunto, and the happy End, and Conclusion thereof by the KING's blessed RESTORATION, and RETURN, upon the 29th of May, in the Year 1660.

Written by the Right Honourable

EDWARD Earl of CLARENDON,

Late Lord High Chancellor of *England*, Privy Counsellor in the Reigns of King CHARLES the First and the Second.

Κηρυξ ἐστὶ ἀλήθεια. Thucyd.

Ne quid Falsi dicere audeat, ne quid Veri non audeat. Cicero.

VOLUME I. PART 2.

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T H E
History of the Rebellion, &c.
B O O K IV.

Iſa. XVII. 12.

Wo to the Multitude of many People, which make a Noise like the noiſe of the Seas; and to the Ruſhing of Nations, that make a Ruſhing like the Ruſhing of many Waters.

WHEN the King came to *York*, which was The King came to York in his journey towards Scotland. about the middle of *Auguſt*, he found no part of either Army diſbanded; for, though Orders had been iſſued to that purpoſe, yet the Money, without which it could not

be done, was not yet come to hand; and becauſe ſo great a Sum could not be preſently procured, as would ſatisfy Both, an Act of Parliament had been paſſ'd, for the Satisfaction of the Principal Officers of the King's Army, by which they were promiſed Payment, upon the Publick Faith, in *November* follo wing; till which time they were to reſpite it, and be contented that the common Soldiers, and Inferior Officers, ſhould be fully Satisfied upon their Diſbanding.

DURING the time of the King's abode at *York*, which was not many days, the Earl of *Holland*, Lord General, made a ſuit to him for the making a Baron; which, at that time, might have been worth to him ten thouſand pounds. Whether the King apprehended the making an unfit man, who might diſſerve him in the Houſe of Peers; or whether he reſolv'd to contain himſelf from enlarging that number, except upon an extraordinary relation to his Own Service, I know not: but he thought not fit, at that time, to gratify the Earl: by which He took himſelf to be highly Diſobliged (as the Courtiers at that time look'd upon whatſoever was Denied to them, as taken from them) and having receiv'd ſome In-

formation, from *St Jacob Ashley* and *St John Comiers*, of some idle passages in the late tampering with the Army to Petition, which had not been before heard of; as soon as the King was gone towards *Scotland* (though his Majesty hath since told me, "that he thought he had left him at parting in very "good humour and devotion to His Service) the Earl wrote a Letter to the Earl of *Essex*, to be communicated in Parliament, "that he found there had been strange attempts made "to Pervert, and Corrupt the Army, but, he doubted not, "he should be able to prevent any mischief: the whole Sense being so mysterious, that it was no hard matter, after it was read in the Houses, to persuade men, that it related to somewhat they had yet never heard; and being dated on the Sixteenth day of *August*, which must be the time that the King was there, or newly gone thence (for he took his Journey from *London* on the Tenth) seem'd to reflect on somewhat his Majesty should have attempted. Hereupon their Old Fears are awaken'd, and New ones infused into the People; every man taking the liberty of making what interpretation he pleased of that which no man understood.

Order of both
Houses to
Disarm all
Papists.

THE Papists were the most Popular Common-place, and the Butt against whom all the Arrows were directed; and so, upon this new Fright, an Order was made by Both Houses "for Disarming all the Papists in *England*: upon which, and the like Orders, though seldom anything was after done, or no matter of moment, yet it serv'd to keep up the Fears and Apprehensions in the People, of Dangers and Designs, and to discipline them from any Reverence or Affection to the Queen, whom they begun every day more implacably to hate, and consequently to disoblige. And, as upon those, and the like light occasions, They grew to a licence of Language, without the least respect of Persons, of how Venerable estimation soever; so they departed from all Order or Regularity in Debate; or Rules and Measures in Judging; the chief Rulers amongst them, first designing what They thought Fit to be done, and the Rest concluding any thing Lawful, that They thought, in order to the doing and compassing the same: in which neither Laws nor Customs could be admitted to signify any thing against Their sense.

I REMEMBER, about that time, in the providing Money for the Disbanding the Armies, upon which they were marvellously solicitous, from the time that the King went towards the North, there arose a Question, "Whether *Willmot*, *Asburnham*, and *Pollard*, should receive their Pay due "to them upon their several Commands, lying under the "Charge of the Plot, for bringing up, and Corrupting the "Army; very many Passionately alledging, "that Such men
"ought

ought not to receive their Pay, who had Forfeited their Trust: Yet there wanted not many who alledg'd, "that They had the Security of an Act of Parliament for their Payment, and that in Justice it could not be detain'd from them; that, though they lay under the Displeasure of the House, they were so far from a Judgement yet, that there was not so much as a Charge against them, but that they were at liberty under Bail; and therefore, they could not be said to have Forfeited any thing that was their own. In this debate the House seem'd equally divided, till One, who well knew what he said, told them "That there could not be any Reasonable Pretence for Detaining their due, as well for the Reasons that had been given, as, that they were absolutely Pardon'd by the late Act of Oblivion, and Pardon, between the two Kingdoms: the which was no sooner said, than many of Those who were before inclined to the Gentlemen, changed their opinions, and, without so much as calling to have the Statute read, declared, "That they could have no Benefit by that Act of Parliament, because then, the Same might be as well applied to the Arch-Bishop of *Canterbury*. And so, without further weighing the Law, or the Reason, it was thought sufficient, not only to exclude them from that Benefit, but to bar them from their Money; lest they might be thought to be admitted to it for That reason, which might prove an advantage to Another, to Whom They had no inclination to be just. And no question, They had been overseen in the Penning that Statute; the Words, in their true and genuine signification and extent, comprehending as well the Arch-Bishop of *Canterbury*, as Those who at that time had no contempt of the Security they reaped thereby.

SOON after the King went into *Scotland*, there being some motion "to Adjourn the Houses till after *Michaelmas*, which seem'd to be generally inclined to, very many of both Houses being willing to refresh themselves, after so long absence from their Homes (the Summer being far spent, and the Plague increasing; of which some Members had died; and others were in danger, having been in infected houses) and conceiving, that there was no more to be done till the return of the King, saving only the procuring Money to finish the Disbanding; went into the Country: and others, who staid in the Town, were less solicitous to attend the Publick Service; but betook themselves to those exercises and refreshments which were pleasanter to them: insomuch, as within twenty days after the King's remove, there were not above Twenty Lords, nor much above a Hundred Commons, in both Houses. But This was the advantage look'd for;

T

Those

Those Persons continuing (especially in the House of Commons) to Whose care and managery the Whole Reformation was committed. They now entred upon the consultation of the highest matters, both in Church and State ; and made attempts and entries upon those Regalties and Foundations, which have been Since more evident in wider and more notorious Breaches.

FROM the liberty and success of advising what was fit to be done out of the Kingdom, with reference to the Levies for *France* and *Spain*, They assumed the same freedom, of consulting and determining what was Not fit, within the walls of the Church ; and finding their numbers to be so thin, that they might, by art or accident, prevail with the major part to be of Their mind ; and to gratify the more Violent Party of the Reformers (who, with great impatience, suffer'd themselves to be contain'd within any bounds or limits, by Those who knew better how to conduct their business) They entred upon debate of the Book of Common-Prayer (which sure, at that time, was much revered throughout the Kingdom) and propos'd, " in regard (they said) many " things in it gave offence, at least umbrage, to tender Con- " sciences, That there might be liberty to Disuse it : which Proposition was so ungracious, that, though it was made in a thin House, and press'd by Those who were of the greatest Power and Authority, It was so far from being consented to, that, by the major part (the House consisting then of about Sixscore) it was Voted, " That it should be duly observ'd.

HOWEVER, the next day, contrary to all Rules and Orders of Parliament, very many being absent who had been active in that Debate, They Suspended that Order ; and Resolv'd, " That the Standing of the Communion-Table in all " Churches should be alter'd ; the Ralls (which in most Places had been set up for the greater Decency) " should be " pull'd down ; that the Chancels should be levell'd, and " made even with all other parts of the Church ; and that no " man should presume to bow at the Name of *Jesus* (which was enjoin'd by a Canon, and of long use in the Church) and having digested these Godly Resolutions into an Order, they carried it up to the Lords for Their concurrence ; promising themselves, that from the small number which remain'd there, they should find no dissent. But the major part of the Lords being much scandalized, that the House of Commons should not only unreasonably, and irregularly, interpose in a matter wherein they had not the least jurisdiction ; but should presume to disturb the Peace of the Church, and interrupt the Settled and Legal Government thereof, by such Schismatical presumption, not only refused to join with them,

see an Act of railing
it in p. 95.

see in p. 294, 5. as to
of his order being min-
ted & factiously put
in execution.

them, but instead thereof, directed an Order, formerly made by the House of Peers (on the Sixteenth of *January* before) to be Printed, to this effect, " That the Divine Service should be Perform'd, as it is appointed by the Acts of Parliament of this Realm; and that all Such as shall Disturb that Wholsome Order, shall be Severely Punish'd according to Law; and acquainted the Commons therewith: Who, nothing satisfied, pursued their former Order; and " commanding all the Commons of *England* to Submit to Their direction, declared, That the Order of the Lords was made " by the Consent but of Eleven Lords, and that Nine other Lords did Dissent from it; and therefore, that No Obedience should be given thereunto. Whereas, the Order had been made in Full Parliament, seven Months before; and was Seasonably order'd to be Publish'd, by the Major Part present, upon that Important occasion. And Such an Arraigning the House of Peers for Publishing an Order in maintenance of the Laws establish'd, by Those who had no Authority to declare what the Law was, nor a Jurisdiction over Those who should infringe the Law, was so transcendent a Presumption, and Breach of Privilege, that there was great expectation what the Lords would do in their own Vindication.

THERE was one Clause in the Act of Pacification, " that there should be a Publick and Solemn Day of Thanksgiving, for the Peace between the two Kingdoms of *England* and *Scotland*: But no day being appointed for that act of Indevotion, the Lords and Commons assumed the Power to themselves of directing it; and to that purpose, made an Ordinance (as they call'd it) " that it should be observ'd on the " Seventh of *September* following, throughout the Kingdom " of *England* and Dominion of *Wales*. Which was done accordingly: the Factious Ministers in all Pulpits, taking occasion then to magnify the Parliament, and the *Scots*; and to infuse as much Malignity into the People, against Those who were not of that Faction, as their Wit and Malice could suggest; the House of Commons celebrating that day in the Chappel at *Lincoln's-Inn*; because the Bishop of *Lincoln*, as Dean of *Westminster*, had form'd a Prayer for that occasion, and enjoin'd it to be read on that day, in those Churches where He had Jurisdiction; which they liked not: both as it was a Form, and form'd by Him; and so avoided coming there.

AFTER the Solemnization of that day, and their making their Declaration against the Lords, about the Order above mention'd, and the recommending some Seditious, Unconformable Ministers, to be Lecturers in Churches about *London*,

don, whom the Incumbents were compell'd to receive: When They had great apprehension, by their Members leaving them, that they should not have Forty remaining (less than which number could not constitute a House of Commons) They consented to a Recess; and on the Ninth day of *September*, 1641, They Adjourn'd themselves till the Twentieth day of *October* following: Either House, irregularly (for the like had never been before practised) making a Committee, to meet twice a week, and oftner, if They saw cause, during the Recess, and to transact such business as they were authorized to do by Their instructions.

Sep. 9. 1641.
Both Houses
Adjourn'd to
Octob. 20.
appointing a
Committee of
Each to Sit
during the
Recess.

The Powers
of the Com-
mittee of the
House of
Lords:

THE House of Lords limited their Committee (which consisted of the Earls of *Essex*, *Warwick*, the Lords *Wharton*, *Kimbolton*, and Twelve more; but every Three were as able to transact as the whole number) by their Instructions, "only to open the Letters which should come from the Committee in *Scotland*, and to return Answers to them; with "Power to recall that Committee, when they thought fit; to "send down Moneys to the Armies; and to assist about their "Disbanding; and in removing the Magazines from *Berwick* "and *Carlisle*.

of the House
of Commons.

BUT the House of Commons thought this Power too narrow for Their Committee; and therefore, against Order too (for the Power of the Committees of both Houses ought to have been equal) They qualified theirs (which consisted of Mr *Pym*, Mr *Saint-John*, Mr *Stande*, Sr *Gilbert Gerrard*, Sr *Henry Mildmay*, Sr *Henry Vane*, Alderman *Pennington*, Captain *Fenn*, and Others; every Six having the Authority of the Whole) as well with the Powers granted to the Lords, as likewise, "to go on in preparation of proceedings, against "such Delinquents, as were voted against, or complain'd of "in the House; and to receive any offers of Discovery that "They should make; To send to all Sheriffs, and Justices of "the Peace, upon information of any Riots, or Tumults; to "sit them up in their Duty in Repressing them; and to report to their House any Failing in Obedience to Their "Commands; To take the Accounts of any Accountants to "his Majesty, in order to the preparation of his Majesty's "Revenue; To consider of framing and constituting a *West* "India Company; and to consider the Fishing, upon the "coasts of *England*, *Scotland*, and *Ireland*; and many other Extravagant particulars: which serv'd to magnify the Authority of that Committee; and to draw Respect and Reverence to them from almost all sorts of men.

The Tustice's
before the
Committee
of the Com-
mons.

THE Houses being thus Adjourn'd; the Committee of the Commons appointed Mr *Pym* to sit in the Chair; who, forthwith, with his own hand, Sign'd the Printed Declarations

tions before mention'd, of the Ninth of *September*; and caused them to be so Read in All Churches in *London*, and throughout the Countries. Whereupon, the Seditious and Factionous persons, caused the Windows to be broken down in Churches; broke down the Rails, and removed the Communion-Table (which, in many places, had stood in that manner ever since the Reformation) and committed many Insolent and Scandalous Disorders. And when the Minister, and the Graver and more Substantial sort of Inhabitants, used any Opposition, and Resisted such their Licence, They were immediately required to attend the Committee; and, if they could be neither perswaded, nor threatned to Submit, their attendance was continued from day to day, to their great Charge and Vexation. If any Grave and Learned Minister refused to admit into his Church a Lecturer recommended by Them (and I am confident, there was not, from the beginning of this Parliament, one Orthodox, or Learned man. recommended by them to any Church in *England*) He was presently required to attend upon the Committee; and not discharged till the Houses met again; and Then likewise, if he escaped Commitment, continued, to his intolerable Loss and Trouble: few men having the Patience to endure that Oppression, against which they knew not whither to Appeal; and therefore in the end Submitted to what they could not Resist: And so all Pulpits were supplied with Their Seditious and Schismatical Preachers.

THE Armies were at last Disbanded; and, about the end of *September*, the Earl of *Holland*, in great Pomp, return'd to his House at *Kensington*; where he was visited and caress'd, with great application, by all the Factionous Party: for he had now, whether upon the Disobligation remembred before, of being denied the making a Baron; or upon some Information, of some sharp Expressions used by the Queen upon his Letter; and the Conscience of that Letter: or the apprehensions of being Question'd, and Prosecuted, upon the Enormities of his Office of Chief Justice in Eyre, and other Transgressions, fully declared himself of Their Party. And that They might be the better prepared to keep up the Prejudice to the King, and the keenness against the Court, till the coming together of both Houses; when, they had reason to believe, the observation of Their crooked and indirect Courses, and their visible, unwarrantable Breaches, upon the Church, and the Religion establish'd by Law, would render men less devoted to them; his Lordship furnish'd them with many Informations of what had pass'd in the late Army, which might be wrested to the King's disadvantage: told them whatsoever the King himself had said to him,

when He look'd upon him as a Person True to him, and when, it is very probable, He was not much delighted with the Proceedings at *Westminster*; and of all the particulars, which *Sr Jacob Aspley* and *Sr John Coniers* had inform'd him, when they took him to be of entire Trust with his Majesty, and wholly under that consideration (whereupon, They were afterwards examin'd, and compell'd to testify That in Publick, which they had before imparted to Him in the greatest Secrecy) and added to all this, whatever information he had receiv'd by the Lady *Carlisle*, of Words or Actions, spoken or done by the Queen, which might increase Their Jealousy or Malice to her Majesty. And He himself (who had been always believ'd a Creature of the Queen's; and exceedingly obliged, and protected, by Her immediate and single grace and favour, against the Earl of *Portland*, the Earl of *Trafford*, and the Arch-Bishop of *Canterbury*, in those times when They had otherwise destroy'd him) visited her Majesty but once, from the time of His return out of the North to the time of the King's return from *Scotland*, which was full six weeks. And yet, there were some Men still at those private meetings at *Kensington*, who thought the Queen's favour a likelier means for their Preferment, than the Interest of the Others; and therefore always gave advertisement to her of what pass'd in that Company: which information, for want of due care in the managery, and by reason of the unfaithfulness of her nearest Servants, commonly produced somewhat, of which the other Side made greater advantage, than She could do by the knowledge of Their Counsels and Resolutions.

THE short Recess of the Parliament, though it was not much above the space of a Month, was yet a great Refreshment to Those who had Sate near a full Year, Mornings and Afternoons, with little or no intermission; and in that warm Region, where Thunder and Lightning was made. Some very Unwarrantable Proceedings, by the Committee that Sate during the Recess, or *Mr Pym*, who sate in the Chair of that Committee, and issued out those Orders concerning the Church, gave so much Offence, and Scandal, that the Members were like to meet together with more Courage, and less inclinations to Novelties, than they had parted with. But there were several accidents fell out, some from very little, and some from very great Causes, which had that Influence upon the Nature and Spirit of Men, and upon the Actions of that time, that, for the better understanding some particular passages, which will appear pertinent, it will be even necessary, briefly, and it shall be but very briefly, to mention some of those Particulars.

WHEN

WHEN the King went into *Scotland*; for the better pre-serving the Correspondence between the two Kingdoms, as was pretended; and to see all things perform'd, which were to be done in the Parliament of *Scotland*, by the Act of Pacification; a small Committee (as hath been before said) was appointed by the two Houses, consisting of one Lord, and two Commons, to Attend (as the Phrase was) upon his Majesty: but, in truth, to be Spies upon him; and to give the same assistance to the Parliament There, upon any emergent occasion, as the *Scottish* Commissioners had done Here.

THE Person appointed by the Lords, was the Lord Howard of *Esrick*; a younger Son of the House of *Suffolk*: who, in the time of the Duke of *Buckingham*, married a Niece of his; and having his whole dependence upon him, and being absolutely govern'd by him, was by him made a Baron; but that Dependence being at an end; his Wife dead; and He without any Virtue to promote himself; He withdrew himself from Following the Court; and shortly after, from Wishing it well; and had now, deliver'd himself up, Body and Soul, to be dispos'd of by that Party, which appear'd most Averse, and Obnoxious, to the Court and the Government: and only in that Confidence, was design'd to that Employment; and to be entirely Dispos'd and Govern'd by the two Members, who were joyn'd with him by the House of Commons, who were, *Sr Philip Stapleton*, and *Mr Hambden*.

THE Latter hath been mention'd before, as a Man of great Understanding, and Parts, and of great Sagacity in discerning Men's natures and manners; and he must, upon all occasions, still be mention'd, as a person of great Dexterity and Abilities, and Equal to any trust or employment, good or bad, which he was inclined to undertake.

THE Other, *Sr Philip Stapleton*, was a proper Man, of a fair extraction; but, being a Branch of a Younger Family, inherited but a moderate Estate, about five hundred pounds a year, in *York-shire*; and, according to the custom of that Country, had spent much time in those delights which Horses and Dogs administer. Being return'd to serve in Parliament, He concurr'd with his Neighbours, *Hotham* and *Cholmondeley*; being much younger than they, and govern'd by them in the Prosecution of the Earl of *Strafford*; and so was easily receiv'd into the Company and Familiarity of that whole Party which took that work to heart; and in a short time, appear'd a Man of Vigour in body and mind; and to be rather Without good Breeding, than not Capable of it; and so He quickly outgrew his Friends and Country-men in the Confidence of Those who govern'd: They looking upon him, as worth the getting entirely to them; and not averse from being gotten;

gotten; and so joyn'd him with Mr *Hambden* in this their first employment (and the First, that ever a Parliament had of that kind) to be initiated under so great a Master; whose instruction He was very capable of.

Transactions in Scotland, touching Mountrose, Argyle, and Hamilton. THERE had been, even from the time the *Scotish Army* came into *England*, many Factions, and Jealousies, amongst the Principal Persons of that Nation; but none so much taken notice of, as that between the two Earls, of *Mountrose*, and *Argyle*. The Former took himself to have Deserv'd as much as any Man, in contributing more, and appearing sooner, in Their first approach towards Rebellion; as indeed he was a Man of the best quality, who did so soon discover himself; and it may be he did it the sooner, in Opposition to *Argyle*; who, being then of the King's Council, he doubted not, would be of his Majesty's Party. The People look'd upon them Both, as Young Men of unlimited Ambition; and used to say, "That they were like *Cæsar* and *Pompey*, the One "would endure no Superior, and the Other would have no "Equal. True it is, that from the time that *Argyle* declared himself against the King (which was immediately after the First Pacification) *Mountrose* appear'd with less vigour for the Covenant; and had, by underhand and secret insinuations, made proffer of his Service to the King. But now, after his Majesty's arrival in *Scotland*, by the introduction of Mr *William Murray* of the Bed-Chamber, He came privately to the King; and inform'd him of many Particulars, from the beginning of the Rebellion; and "that the Marquis of *Hamilton*, was no less Faulty, and False towards his Majesty, than "*Argyle*; and offer'd "to make Proof of all in the Parliament; but rather desir'd, "to have them Both made away; which He frankly undertook to do: but the King, abhorring that expedient, though for his own Security, advis'd, "that "the Proofs might be prepared for the Parliament. When suddainly, on a *Sunday* morning, the City of *Edenborough* was in Arms; and *Hamilton*, and *Argyle*, both gone out of the Town to their own Houses; where they stood upon their guards; declaring publicly, "That they had withdrawn themselves, "because they knew that there was a design to Assassinate "them; and chose rather to absent themselves, than by standing upon their Defence in *Edenborough* (which they could "well have done) to hazard the Publick Peace, and Security "of the Parliament; which thunder'd on their behalf.

THE Committee at *Edenborough* dispatch'd away an Express to *London*, with a dark and perplex'd account, in the morning that the two Lords had left the City; with many doubtful expressions, "what the end of it would be: not without some dark insinuations, as if the design might look farther

farther than *Scotland*. And these Letters were brought to *London*, the day before the Houses were to come together, after the Recess; all That Party taking pains to Persuade Others, "that it could not but be a Design to Assassinate More Men than those Lords at *Edenborough*."

AND the morning the Houses were to meet, Mr Hyde being walking in *Westminster-Hall*, with the Earl of *Holland* and the Earl of *Essex*, Both the Earls seem'd wonderfully concern'd at it; and to believe, "that Other Men were in danger of the like Assaults; the Other, not thinking the Apprehension worthy of them, told them merrily, "that He "knew well what opinions They Both had of those two "Lords, a Year or two before, and he wonder'd how they "became so alter'd; to which They answer'd smiling, "That "the Times and the Court was much alter'd since. And the Houses were no sooner Sate, but the Report being made in the House of Commons, and the Committee's Letter from *Scotland* being Read, a Motion was made, "to send to the "House of Peers, that the Earl of *Essex*, who was left by "the King General on this Side *Trent*, might be desired to "appoint such a Guard, as He thought competent for the Security of the Parliament, constantly to attend while the "Houses sate; which was done accordingly; and continued, till They thought fit to have other Guards. All which was done to Amuse the People, as if the Parliament were in Danger: when in *Scotland*, all things were quickly Pacified; and ended in creating the Marquis *Hamilton* a Duke, and *Argyle* a Marquis.

The Earl of Essex appoints a Guard for the Security of the Parliament.

THERE was a Worse Accident than all these, which fell out in the time of the King's stay in *Scotland*, and about the time of the two Houses reconvening; which made a wonderful impression upon the minds of Men; and proved of infinite Disadvantage to the King's affairs, which were then recovering new life; and that was the Rebellion in *Ireland*: which broke out about the middle of *October*, in all parts of the Kingdom. Their design upon *Dublin* was miraculously discover'd, the night before it was to be executed; and so the Surprizal of that Castle prevented; and the principal Conspirators, who had the charge of it, apprehended. In the other parts of the Kingdom, They observ'd the time appointed, not hearing of the Misfortunes of their Friends at *Dublin*. A general Insurrection of the *Irish* spread it self over the whole Country, in such an Inhuman and Barbarous manner, that there were Forty or Fifty Thousand of the *English* Protestants murder'd, before they suspected themselves to be in any danger, or could provide for their Defence, by drawing together into Towns, or strong Houses.

FROM

FROM *Dublin*, the Lords Justices, and Council, dispatch'd their Letters by an Express (the same Man who had made the Discovery, one *Oconelly*, who had formerly been a Servant to *St John Clotworthy*) to *London*, to the Earl of *Leicester*, then Lord Lieutenant of *Ireland*. From the Parts of the North, and *Ulster*, an Express was sent to the King himself, at *Edenborough*; and the King's Letters from thence, to the two Houses, arriv'd within less than two days after the Messenger from *Dublin*.

It was upon a *Sunday* night, that the Letters from *Dublin* came to the Earl of *Leicester*; who immediately caus'd the Council to be summon'd, and as soon as it was met, inform'd them of the condition of *Ireland*; that is, so much as those Letters contain'd: which were written, when little more was known than the Discovery at *Dublin*; and what the Conspirators had confess'd upon their examinations. The House of Peers had then adjourn'd it self to the *Wednesday* following; but the House of Commons were to meet on the next day, *Monday* morning; and the Council resolv'd, "that they "would in a Body go to the House of Commons, as soon as it "sat, and inform them of it; which they did; notice being first given to the House, "that the Lords of the Council had "some matters of Importance to impart to them, and were "above in the Painted Chamber ready to come to them: whereupon, Chairs were set in the House for them to repose themselves, and the Serjeant sent to conduct them. As soon as they enter'd the House, the Speaker desired them to sit down; and then being cover'd, *Littleton*, Lord Keeper, told the Speaker, "That the Lord Lieutenant of *Ireland*, having "receiv'd Letters from the Lords Justices and Council there, "had communicated them to the Council; and since the "House of Peers was not then sitting, They had thought fit, "for the Importance of the Letters, to impart them to that "House; and so referr'd the business to the Lord Lieutenant; who, without any enlargement, only read the Letters he had receiv'd, and so the Lords departed from the House.

The Lords of
the Council
acquaint the
House of
Commons
with the
News, the
House of
Lords not
sitting.

THERE was a deep Silence in the House, and a kind of Consternation: most Mens heads having been Intoxicated from their First meeting in Parliament, with imaginations of Plots, and Treasonable Designs, through the Three Kingdoms. The affair it self seem'd to be out of their cognisance; and the communication of it, serv'd only to prepare their thoughts, what to do when more should be known; and when they should hear what the King thought fit to be done. And when the King's Letters arriv'd, they were glad the news had come to him, when he had so good Council about him to advise him what to do.

THE

THE King was not then inform'd of what had been discover'd at *Dublin*; but the Letters out of *Ulster* (which he sent to the Parliament) gave him notice "of a general Insurrection in the North; and of the Inhuman Murthers committed there, upon a multitude of the Protestants; and that *Sr Phelim O Neil* appear'd as their General and Commander in chief.

UPON which his Majesty writ to the two Houses, "That ^{His Majesty writes to the two Houses about it.} he was satisfied that it was no Rash Insurrection, but a Form'd Rebellion; which must be Prosecuted with a sharp War; the conducting, and prosecuting whereof, he wholly committed to Their Care and Wisdom, and depended upon Them for the carrying it on; and that for the present, He had caused a strong Regiment of fifteen hundred Foot, under good Officers to be transported out of *Scotland* into *Ulster*, for the Relief of those Parts: which were upon the matter wholly inhabited by *Scots* and *Irish*; there being fewer *English* there, than in any part of *Ireland*.

THIS fell out to their wish; and thereupon, they made a Committee of both Houses, "for the consideration of the affairs of *Ireland*, and providing for the supply of Men, Arms, and Money, for the Suppressing that Rebellion; the Lord Lieutenant of *Ireland* being one of the Committee: which sat every morning in the Painted Chamber; and the Lord Lieutenant first communicated all the Letters he receiv'd to Them to be consulted on, and to be thence reported to the two Houses; which were hereby possess'd of a large Power, and Dependence; all Men applying themselves to Them, that is to the chief Leaders, for their Preferments in that War: the mischief whereof, though in the beginning little taken notice of, was afterwards felt by the King very sensibly.

THESE concurrent Circumstances, much alter'd and suppress'd that good humour and spirit the Houses were well disposed to meet in, and the Angry Men, who were disappointed of the Preferments they expected, and had promised themselves, took all occasions, by their Emisaries, to insinuate into the minds of the People, "that this Rebellion in *Ireland*, was contrived and fomented by the King; or at least by the Queen, for the advancement of Popery; and "that the Rebels publish'd and declar'd, That they had the King's Authority for all they did; which Calumny, though without the least Shadow or Colour of Truth, made more Impression upon the minds of Sober and Moderate Men (who, till that time, had much disliked the Passionate Proceedings of the Parliament) than could be then imagin'd, or can yet be believ'd. So great a Prejudice, or want of Reverence

was

was universally contracted against the Court: especially the Queen; whose Power and Activity was thought too great.

*A Committee
was revived
for drawing
up a Remon-
strance.*

SHORTLY after the beginning of the Parliament, there had been a Committee appointed, "to prepare and draw up a general Remonstrance of the state of the Kingdom, and the particular Grievances it had sustain'd; but it scarce met, or was ever after spoken of: But now, the Houses no sooner met after the Recess, than Mr. *Strode* (one of the Fiercest Men of the Party; and of the Party only for his Fierceness) moved, "That that Committee might be revived, and order'd to meet; for which of course, a time and place was appointed: by which Men easily discern'd, that nothing of their Fury was abated, but rather increased, in that they found their Credit every day lessen'd in the House, by the opposition and contradiction they sustain'd. And they being thus disquieted; and knowing little; and so doubting much; every day seem'd to them to produce a new Discovery, of some new Treason, and Plot, against the Kingdom. One day, "a Letter from beyond Seas, of great Forces prepared to Invade *England*; another, "of some Attempt upon the Life of Mr *Pym*: and no occasion omitted to speak of the Evil Council about the King; when scarce a Counsellor durst come near him; or be suspected to hear from him.

*A new Bill
of the House
of Commons
to take away
Bishops Votes.*

AFTER some days, a new Bill was presented to the House of Commons, "for the taking away the Bishops Votes in Parliament; and for Disabling them to exercise any Temporal Office in the Kingdom: against which was objected, "That it was contrary to the Course and Order of Parliament, that any Bill that had been rejected, should be again Prefer'd the same Session; and therefore it ought not to be so much as Read: to which nothing was reply'd but "Noise; and "that this Bill varied in some Clauses from the former; and that the good of the Kingdom absolutely depended upon it: and so, by the majority of Voices, it was order'd to be Read: and afterwards, without any very considerable opposition, Pass'd the House, and was transmitted to the Lords: the greatest argument being, "That their intermeddling with Temporal Affairs, was inconsistent with, "and destructive to, the exercise of their Spiritual Function. Whilst their Reformation, both in *Scotland*, and this Kingdom, was driven on by no Men so much, as Those of their Clergy who were their Instruments. As, without doubt, the Arch-Bishop of *Canterbury* had never so great an Influence upon the Counsels at Court, as Dr *Burges*, and Mr *Marshall*, had then upon the Houses; neither did all the Bishops of *Scotland* together, so much meddle in Temporal Affairs, as Mr *Henderfon* had done.

x conc. which see in 2^d wood's A.K. on in Ly Acc. of Lin. viz. vol. 11.
2^d edit. p. 348.

THESE

THERE being at this time, the Bishopricks of *Worcester*, *The King Lincoln*, *Exeter*, *Chichester*, and *Bristol*, Void by Death, or fills up divers Translation; the King, during the time of his being in *Scotland*, collated to those Sees, Dr *Prideaux*, the King's Pro-^{vacant Bi-} fessor of Divinity in *Oxford*; Dr *Winniff*, Dean of *St Pauls*; Dr *Brownerigg*, Master of *Catharine-Hall* in *Cambridge*; Dr *Henry King*, Dean of *Lichfield*; and Dr *Westfield* of Great *St Bartholomews*, *London*: All of great Eminency in the Church; frequent Preachers; and not a Man, to whom the Faults of the Then Governing Clergy were imputed, or against whom the least Objection could be made.

AS SOON as the House of Commons heard of this designa-^{The Commons} tion of his Majesty's (having then newly the Second time offended as it sent up to the House of Peers, their Bill to remove Bishops from thence) They were much troubled, that at a time when They resolv'd to take away the Old, the King should presume to make New Bishops; and to create so many Voices to assist the other; and therefore, They urged very earnestly, "That the Lords might be moved to joyn with them, in sending to the King, to make no new Bishops, till the Controversy should be ended about the Government of the Church: which appear'd so Unreasonable, that the Wifest of Them who wish'd it, apprehended no Possibility that the Lords would joyn with them; or if They did, that the King would be prevail'd with. However, being glad to find their Companions had so much mettle, after a long Debate, the major part carried it, "That a Committee should be appointed, to draw up Reasons to give the Lords, to concur with them in that desire to the King: but, after that, moved that Stone no further.

IN all Debates of this nature, where the Law, Reason, and Common Sense, were directly Opposite to what they proposed, They suffer'd Those who differ'd from them in opinion, and purposes, to say what they thought fit in opposition; and then, without vouchsafing to endeavour their satisfaction, call'd importunately for the Question; well knowing, that They had a Plurality of Voices to concur with them, in whatsoever they desired. I remember, in this last business, when it was voted that a Committee should be named to draw up Reasons, many of Those who had during the Debate positively argued Against the thing, were call'd upon to be of that Committee; and amongst them, the Lord *Falkland*, and Mr *Hyde*, who stood up, and "desired to be Excused from that Service, where they could be of no Use; having given so many reasons against it, that they could not apprehend any could be given for it; therefore thought, the work would be better done, if Those who had satisfied

"Them-

"Themselves with the Reasonableness of what they wish'd, "would undertake the converting and disposing of Other "Men. There was a Gentleman who sat by (Mr *Bond* of *Dorchester* ; very Severe, and Resolv'd, against the Church and the Court) who, with much Passion, and Trouble of mind, said to them, "For God's sake be of the Committee, "You know none of our side can give Reasons; which made Those that over-heard him Smile: though he spoke it suddenly; and upon observation that the Leaders were not then in the House. Otherwise, it cannot be denied, Those who conducted them, and were the Contrivers of the Mischief, were Men of great Parts, and unspeakable Industry; and their Silence in some Debates, proceeded partly from Pride, that it might appear, Their Reputation and Interest, had an Influence upon the Sense of the House, against any Rhetorick or Logick: but principally, from the Policy they were obliged to use: for, though they could have given a pregnant reason for the most extravagant overture they ever made, and evinced it, that it was the proper way to Their end; yet, it not being time to discover their purposes (how apparent soever they were to discerning Men) they were necessarily to give no reasons at all; or such as were not the true ones.

THIS Stratagem failing, of stopping the creation of the new Bishops; They endeavour, by all means, to hasten the House of Peers to dispatch the work before them, before they should be qualified (their Elections, Confirmations, and Consecrations, and other Ceremonies, spending much time) to increase the number of the Opposers; and for the better doing thereof, with great confidence, They demand of the Lords, "That no Recusant Lord, or any Bishop, might have "a Vote in the passing that Act: the last being Parties; and "the other not supposed competent Judges on the behalf of "the Kingdom. But, when they found that Logick could not prevail (the demand being indeed so Scandalous, that the House of Peers, if they had not been fatally misled, must have resented it as a high Presumption, and insolent Breach of Privilege) with more Formality and Colour, though as Unreasonably, They press'd, "That those Thirteen Bishops, "whom They had before Impeach'd, for making the late "Canons; and upon whom their Lordships themselves had "pass'd Severe Votes (such indeed as were fitter for Accusers than Judges, Unparliamentary and Unprecedented) "might be Sequester'd from the House, till they should be "brought to Judgement. And for this, They found Lawyers in their House, who, prostituting the Dignity and Learning of their Profession, to the cheap and vile affectation of Popular Applause, were not ashamed, to over Custom and Law for

for their Senseless Proposition. But the House of Peers was not Yet deluded enough, or terrified (though too many amongst them paid an implicit devotion to the House of Commons) to comply in this unreasonable demand.

AND here I cannot but with grief and wonder remember, the Virulency and Animosity express'd at that time, upon all occasions, by Many of good knowledge in the excellent and wise Profession of the Common Law, towards the Church, and Church-men; taking all opportunities, uncharitably, to improve Mistakes into Crimes; and, unreasonably, to transfer and impute the Follies and Faults of Particular men, to the Malignity of their Order and Function; and so, whet and sharpen the edge of the Law, to wound the Church in its Jurisdiction; and at last to cut it up by the Roots, and demolish its Foundation. It cannot be denied, that the Peevish spirits of some Clergy-men, have taken great pains to alienate that Profession from them; and Others, as unskilfully (finding, that in former times, when the Religion of the State was a Vital part of its Policy, many Church-men were employ'd Eminently in the Civil Government of the Kingdom) imputed Their wanting those Ornaments their Predecessors wore, to the Power and Prevalency of the Lawyers; of Whom, some Principal men, in all times, They could not but observe to have been their avow'd Enemies: and so believ'd, the Stralming and Confining the Profession of the Common Law, must naturally Extend and Enlarge the Jurisdiction of the Church. Thence arose Their bold and unwarrantable Opposing and Protesting against Prohibitions, and other Proceedings at Law, on the behalf of Ecclesiastical Courts; and the procuring some Orders and Privileges from the King, on the behalf of the Civil Law; even with an exclusion of the other: as the Arch-Bishop of *Canterbury*, prevail'd with the King to direct, "that half the Masters of the Chancery should be always Civil Lawyers; and to declare, that no others, of what condition soever, should serve him as Masters of Request. All which was a great mistake: For, besides the stopping Prohibitions was an envious Breach upon the Justice of the Kingdom; which at some time or other, will still be too hard for the strongest Opposers and Oppressors of it: I could never yet know, Why the Doctors of the Civil Law, were more of Kin to the Bishops, or the Church, than the Common Lawyers were. To say, that Their Places were in the Bishops disposal, as Chancellors, Commissaries, and the like; and therefore, that their Persons were more like to be at Their disposal too; at least, to pay them greater Reverence; concludes nothing: for the Clergy had opportunity enough, to oblige and create an equal

The Animosity as that time between some great Lawyers and some Church-men produced great mischief.

dependance from the Profession of the Common Law; and I am perswaded, the Stewardships to Bishops, and of the Lands of the Church, which were to be managed by the Rules of the Common Law, were not much inferior in Profit to all the Chancellorships in *England*. And then, if, where the Policy may consist with Justice, it is no ill measure in making Friendships, to look into, and compare, the Power of doing Hurt, or doing Good; it is apparent, that the Civil Law in this Kingdom, had not, in the least degree, the ability to Help; or to Hurt the Church, in any exigency, as the Common Law had: Whose Professors had always, by their Interests, Experience, and Reputation, so great an Influence upon the Civil State, upon Court and Country; that they were notable Friends or Enemies. And the dependance of the Church, as to their inheritance, and Estates (except their minute Tythes) was entirely upon the Law; being only determinable by those Rules, by which They have seldom receiv'd eminent Injustice. And truly, I have never yet spoken with one Clergy-man, who hath had the experience of both litgations, that hath not ingenuously confess'd, "he had rather, in the respect of his trouble, charge, and satisfaction to his understanding, have Three Suits depending in *Westminster-Hall*, than one in the Arches, or any Ecclesiastical Court.

THE Particulars above mention'd, were, I confess, to Vulgar minds, great Provocations and Temptations to Revenge, and therefore, I do not at all wonder, that, in the great herd of the Common Lawyers, many Pragmatical spirits, whose thoughts and observations have been contracted to the narrow limits of the few Books of that Profession; or within the narrower Circle of the Bar Oratory: should go along with the Stream, in the Womanish art of Inveighing against Persons, when they should be Reforming Things: and that some, by degrees, having found the Benefit of being of that Opinion (for we all remember, when Papist and Puritan Lawyers got more Money than their Neighbours, for the Private Opinions they were of; not what they deliver'd in Publick) grew, at last, to have Fits of Conscience in earnest; and to believe, that a Parity in the Church was necessary to Religion; and not like to produce a Parity in the State: by which Doctrine if they had been then suspected, they would quickly have been ashamed of such Divinity.

BUT, that Learned and Unbias'd (I mean, Unprovoked) men, in that Science of our Law, who knew the Frame and Constitution of the Kingdom; and that the Bishops were no less the Representative Body of the Clergy, than the House of Commons was of the People, and consequently, that the depriving

depriving Them of voice in Parliament, was a Violence, and removing Landmarks, and not a Shaking (which might Settle again) but Dissolving Foundations; which must leave the Building unsafe for habitation: That Such men, who knew the Ecclesiastical and Civil State was so wrought and interwoven together, and, in truth, so incorporated in each other, that the one could not long continue in Prosperity without the other; and that the Professors of the Law were never at so great a height, as even in This time that They so unjustly envied the greatness of the Church: And lastly, That They, who might well know, that the great unweildy Body of the Clergy, consisting of such different tempers, humours, inclinations, and abilities; and which inevitably will have so strong an Influence upon the nature and affections of the People; could never be Regulated and Govern'd by any Magistrates but of Themselves; nor by any Rules, but of such Power as the Bishops exercised; Whom (besides all arguments of Piety, and submission to Antiquity) the experience of the Blessed Times Since the Reformation, not to be parallel'd in any Nation under Heaven, declared to be the most Happy Managers of that Power, whatsoever rankness and exccelence might have proceeded from some Branches: I say, that these Knowing and Discerning men (for Such I must confess, there have been) should believe it possible for Them to flourish, or that the Law it self would have the same respect and veneration from the People, when the well disposed Fabrick of the Church should be rent asunder (which, without Their activity and skill in Confusion, could never have been compass'd) hath been to me an Instance of the Divine Anger against the Pride of Both, in suffering them to be the Fatal Engines of Breaking one another: whereas Neither could have been oppress'd by any other Strength or Power but Their own.

AND I cannot but say, to the Professors of that great and admirable mystery, the Common Law (upon which, no man looks with more affection, reverence, and submission) Who seem Now, by the Fury and Iniquity of the Time, to stand upon the ground they have won, and to be Masters of the Field; and, it may be, Wear some of the Trophies and Spoils They have ravish'd from the Oppress'd; that They have yet but sharpen'd Weapons for Others to wound them; and that Their Own Arguments and Eloquence, may be, one time or other, applied to Their Own Destruction. And therefore, if they have either Piety, to repent and redeem the ill that they have wrought; or Policy, to preserve their own condition from Contempt; and Themselves from being Slaves to the most abject of the People; They will at length wind up

the Church and the Law into one and the same Interest ; and, by a firm and steady pursuit, endeavour to fix Both on the same Foundation, from whence they have been so violently disturb'd.

By this time the King was as weary of *Scotland*, as he had been impatient to go thither ; finding all things propos'd to him, as to a vanquish'd Person, without consideration of his Honour, or his Interest ; and having not one Counsellor about him, but the Duke of *Lenox* (who from the beginning carried himself by the most exact rules of Honour, Gratitude, and Fidelity to him) and very few followers, who had either affection to his Person, or respect to his Honour.

h. THAT which should have been an Act of Oblivion, was made a Defence and Justification of whatsoever They had done : Their first Tumults, and erecting their Tables, in Opposition to, and at last Suppressing, both Courts of Justice and Session ; and the Acts and Orders of those Tables ; declared to be " the effects of their Duty to his Majesty ; and according to the Law of the Land : And so all Those, who, according to their Allegiance, had oppos'd and resist'd them on the behalf of his Majesty, and were qualified by his Majesty's Commissions, were adjudg'd Criminal ; and the only persons Excepted from Pardon, and Exempted from the Benefit of that Oblivion. "

THE Seditious Acts of that Assembly, which had Expell'd all Bishops, and the Canonical Clergy, from being Members of that Assembly ; and affirm'd Themselves to have a Power, " to inflict the Censures of the Church upon his Majesty himself ; were declared " to be Lawful, and according to the " Constitution of the Kingdom ; and the Government of the " Church by Arch-Bishops, and Bishops, declared to be against " the Word of God ; and They condemn'd, as Enemies to " the Propagation of the true reform'd Protestant Religion ; " and therefore to be utterly Abolish'd ; and Their Lands given " to the King, his Heirs and Successors.

IN consideration of the King's necessary Absence from that his Native Kindom, it was thought fit, " that the Full and " Absolute Government thereof, should be committed to the " Lords of the Secret Council ; who were likewise made " Conservators of the Peace of the two Kingdoms, during the " intervals of Parliaments ; and those Lords, and Conservators, " were then, and still, to be named by Parliament ; " which was once in three years to assemble upon a day certain, without any Summons from the King, if he neglect- " ed to publish such Summons ; and, upon the same reason, " all great Officers, as Chancellor, Treasurer, Secretary, and " the rest, nominated by Parliament ; and in the interval " by

“by the Lords of the Secret Council; without so much as being concern’d to have his Majesty’s approbation.

ALL which Acts, and whatsoever else They were pleas’d to present to Him, concerning Church or State, the King confirm’d; and thereby, made the Lord *Lowden*, who had been the Principal Manager of the Rebellion, Chancellor of *Scotland*; and Created him likewise an Earl; and conferr’d the other great Offices, as he was directed: Then, he made the Earl of *Argyle* (for he was still trusted with conferring of Honours) Marquis; Their great General, *Lesly*, Earl of *Leven*; and their Lieutenant-General, Earl of *Calendar*; and conferr’d other Honours on Persons, according to the Capacity and Ability they had in doing him Mischief: And lastly (leaving all his Own Party barely to Live; for he had procur’d a Pardon for them from the Parliament, upon condition “They came not near the King’s presence; nor receiv’d “any Benefit from him; without Their approbation) his Majesty gave all the Lands of the Church, which had been devolv’d to him by Its ruin, and whatsoever he had else to give, in that Kingdom, to Those who had discover’d it not to be in good hands before: So that he seem’d to have made that Progress into *Scotland*, only that he might make a perfect Deed of Gift of that Kingdom; which he could never have done, so absolutely, without going thither. And so, having nothing more to do There, He begun his Journey towards *England* about the middle of *November*.

It is not to be doubted, in consideration of those Extravagant Concessions, They made as Extravagant Promises to the King; That by their Loyal and Dutiful Comportment, his Majesty should find no diminution of his Power; That he should have the entire Obedience of that Nation, to preserve his full Rights and Regalities in *England*; and to Reduce *Ireland*: The Earl of *Leven* telling him (as Marquis *Hamilton* assur’d me, in his hearing) “that he would not only never more serve against him; but that whenever his Majesty would require his Service, He should have it without “ever asking what the Cause was. And many of them whispering in his Ear, and assuring him, “that as soon as the Troubles “of the late Storm could be perfectly calm’d, They would “Reverse and Repeal whatsoever was now unreasonably extorted from him. And his Majesty having never receiv’d any considerable Profit from *Scotland*, cared the less for what he parted with There: and, it may be, being resolv’d they should be no more Charge to him in his Court here (for surely he had then very hard thoughts of a great part of the Nation) he believ’d he should save more in This Kingdom, than he had given in That; and he made no doubt, but that

They were so full Fed now, that they would not stir from Home again, till the Temper and Affection of his People here, should be better disposed for their Reception.

BUT his Majesty never consider'd, or not soon enough, that they could not reasonably hope to keep what they had so ill got, but by the same Arts by which they were such gainers; and there cannot be a surer evidence of the Continuance of an Enemy, than the having receiv'd Injuries from him of a nature that do not use to be forgiven. Neither did he sufficiently weigh the unspeakable Encouragement; and, in some particulars, the reasonable Pretence the Factious Party here would have, from the Prosperous Wickedness of those there. And, it is certain, their number from thenceforth increas'd wonderfully: the Enemies of the Church presuming their work was more than half done, when the King himself had declared (for his Consent to that Act They would easily make appear to be such) "that the Government by Arch-Bishops, "and Bishops, was against the Word of God, and the Propagation of Religion. Many concluding the King would at last yield to any thing, put themselves in company of the boldest and most positive Askers; and some, who in their Hearts abhor'd what the *Scots* had done, yet disdaining to be over-witted by them; and that they should get more for themselves, and receive a greater Argument of the King's Trust, than We of this Nation; out of pure Malice to them, resolv'd to do the same things with them; and so join'd and concurr'd in any Exorbitancies. All which the King too late discover'd, by the Entertainment he receiv'd upon his Return.

The Committee for the Remonstrance make their Report in the House of Commons.

17.

ABOUT the time the news came of the King's beginning his Journey from *Scotland* upon a day appointed; and that he had settled all things in that Kingdom to the general Satisfaction; the Committee for preparing the Remonstrance, offer'd their Report to the House; which caused the Draught they offer'd, to be Read. It contain'd a very bitter Representation, of all the illegal Things which had been done, from the first hour of the King's coming to the Crown, to that minute; with all the sharp Reflections which could be made, upon the King himself, the Queen, and Council; and publish'd all the unreasonable Jealousies of the present Government, of the introducing Popery; and all other particulars, that might disturb the minds of the People: which were enough compos'd.

18.

THE House seem'd generally to dislike it; many saying, "that it was very unnecessary, and unseasonable: Unnecessary, all those Grievances being already fully Redress'd; "and the Liberty and Property of the Subject being as well "Secured for the future, as could possibly be done: and Unseasonable,

“seasonable, after the King had gratified them, with granting every thing which they had desired of him; and after so long absence, in the settling the Disorders in another Kingdom, which he had happily compos’d; to be now welcom’d Home with such a volume of Reproaches, for what Others had done amiss, and which He himself had reform’d.) Notwithstanding all which, all the other Party appear’d Passionately concern’d that it might not be rejected; and enlarged themselves with as high expressions against the Government, as at first; with many insinuations, “that we were in danger of being depriv’d of all the good Acts which we had gain’d, “if great care and vigilance were not used, to disappoint some Counsels which were still entertain’d; making some doubtful glances and reflections upon the Rebellion in *Ireland*, (with which they perceiv’d many good Men were easily amused) and in the end prevail’d, “that a day should be appointed, when the House should be resolv’d into a Committee of the whole House, and the Remonstrance to be then re-taken into consideration: and in the mean time, They employ’d all their Credit and Interest with particular Men, to persuade them, “that the passing that Remonstrance was most necessary, for the Preservation and Maintenance of all those good Laws which They had already made; giving several reasons to several persons, according to their natures and inclinations; assuring many, “that they intended it only for the mortification of the Court, and manifestation that That Malignant Party, which appear’d to be growing up in the House, could not prevail; and then, “that it should remain still in the Clerk’s hands, and never be publish’d.

AND by these, and the like Arts, They promised themselves that they should easily carry it: So that the day it was to be refused, They entertain’d the House all the morning with other Debates, and towards Noon call’d for the Remonstrance; and it being urged by some, “that it was too late to enter upon it, with much difficulty they consented, that it should be entred upon the next morning at nine of the Clock; and every clause should be Debated, the Speaker in the Chair; for they would not have the House resolv’d into a Committee, which they believ’d would spend too much time. *Oliver Cromwell* (who, at that time, was little taken notice of) ask’d the Lord *Falkland*, “Why he would have it put off, for that day would quickly have determin’d it? He answer’d, “There would not have been time enough, for sure it would take some Debate. The other replied, “a very sorry one: They supposing, by the computation they had made, that very few would oppose it.

BUT he quickly found he was mistaken: for the next morning,

morning, the Debate being enter'd upon about Nine of the Clock, it continued all that day; and Candles being call'd for when it grew dark (neither Side being very desirous to adjourn till the next day; though it was evident, very many withdrew themselves out of pure faintness and disability to attend the conclusion) the Debate continued till it was after Twelve of the Clock, with much Passion; and the House being then divided, upon the passing or not passing it, it was carried in the Affirmative, by Nine Voices, and no more: and as soon as it was declared, Mr *Hambden* moved, "That there might be an Order enter'd for the present Printing it; which produced a sharper Debate than the former. It appear'd then, that They did not intend to send it up to the House of Peers, for their Concurrence; [but that it was upon the matter an Appeal to the People; and to infuse Jealousies into their minds. It had seldom been the custom to Publish any Debates, or Determinations of the House, which were not regularly first transmitted to the House of Peers; nor was it thought in truth, that the House had Authority to give warrant for the Printing of any thing; all which was offer'd by Mr *Hyde*, with some warmth, as soon as the motion was made for the Printing it: and he said, "He believ'd the Printing "it in that manner, was not lawful; and he fear'd it would "produce Mischievous effects; and therefore desired the leave "of the House, that if the Question should be put, and be "carried in the Affirmative, that He might have liberty "to enter his Protestation; which he no sooner said, than *Jeffery Palmer* (a Man of great reputation, and much esteem'd in the House) stood up, and made the same motion for himself, "that he might likewise Protest; Many afterwards, without distinction, and in some disorder, Cry'd out together, "They did Protest: So that there was after scarce any quiet and regular Debate. But the House by degrees being quetered, They all consented, about Two of the Clock in the Morning to adjourn till Two of the Clock the next Afternoon. And as they went out of the House, the Lord *Falkland* ask'd *Oliver Cromwell*, "Whether there had been a Debate? to which he answer'd, "he would take his word another time: and whisper'd him in the Ear, with some asseveration, "that "if the Remonstrance had been rejected, He would have "sold all he had the next morning, and never have seen "England more; and he knew, there were many other Honest Men of the same Resolution. So near was the poor Kingdom at that time to its Deliverance.

HOWEVER They got this Victory, they did not in a long time recover the Spirits they lost, and the agony they had sustain'd, whilst it was in suspense; and they discern'd well

It was carried by Nine Voices.

h. B. This has been very commonly practiced h since.

h. B. That Point was not as I have ever discerned.

of whom a large Acc^t is given in the fact of Mr Wood's A. O. among the Letters of 1643 that were created.

well enough, that the House had not at that time half its Members present; though they had provided, that not a Man of their Party was absent; and that they had even carried it by the hour of the Night, which drove away a greater number of old and infirm Opposers, than would have made Those of the Negative Superior in number: So that they had little hope, in a fuller House, to prevail in any of their Unjust designs, except they found some other Expedient, by hopes or fears, to work upon the Affections of the several Members.

In order to which, They spent most part of the next day in their private Consultations, how to Chastise some of those who Offended them the day before; and resolv'd in the first place, not to suffer that Precedent to be introduced into the House, "that Men should Protest against the Sense of the House: which, it is true, had not been used in the House of Commons." This Subject was the more grateful to them, because they should heartily take Revenge upon Mr Hyde, whom they perfectly hated; and to whose activity, they imputed the trouble they had sustain'd the day before; and He was the First who made the Protestation, that is, ask'd leave to do it; which produced the other subsequent clamour, that was indeed in some disorder. But here they dissid'd amongst themselves; all the Leading Violent Men, who bore the greatest Sway, were most glad of the occasion, as it gave them opportunity to be rid of Mr Hyde; which they Passionately desired: but Sr John Hotham, Cholmondley, and Stapleton (who never sever'd, and had a numerous Train attending their motions) remember'd the Service Mr Hyde had done against the Court of York (the overthrowing whereof was their peculiar glory) and would not consent that they should question him; but were ready to concur with them in the Prosecution of any other of the Protesters; whereof there was number enough. This made so great a Difference amongst them, that for the present they agreed no further, than "that they would that Afternoon only provide, that the next Morning they would fall upon that matter; and then they might consult together at Night, what Person they would Sacrifice.

ABOUT Three of the Clock, when the House met, Mr Pym "lamented the Disorder of the Night before, which, he "said, might probably have engaged the House in Blood, "and had proceeded principally from the offering a Protestation; which had never before been offer'd in That House; "and was a Transgression that ought to be severely examin'd, "that Mischief might not result hereafter from that Precedent: and therefore propos'd, That the House would the "next Morning enter upon that Examination; and in the

"mean

But commonly practised in the 1640s of Lord's. see p. 407.

“mean time, Men might recollect themselves, and They who
 “used to take Notes, might peruse their Memorials; that
 “the Persons who were the chief causes of the Disorder,
 “might be named, and defend themselves the best they could :
 and with this resolution the House arose; the vexation of the
 night before, being very visible in the looks and countenance
 of many. Neither that night’s deliberation, nor all the Ar-
 tifice or Importunity that could be used, could remove the
 obstinate Northern Men from their resolution; They declared
 positively, “That if they Prosecuted Mr *Hyde*, They, and
 “all their Friends, would engage in his Defence: which
 made the Others resolve, not to incur the danger or incon-
 venience of such a Schism; and so they unanimously agreed
 upon another Person, whom they would accuse.

THE next Morning, They first enlarged upon the Offence
 it self; “of the Mischief it had like to have produced; and
 “would unavoidably produce, if the custom or liberty of it
 “were ever admitted; That it was the First time it had ever
 “been offer’d in That House; and that care ought to be
 “taken, that it should be the Last; by the severe Judgement
 “of the House, upon Those Persons who had begun the Pre-
 sumption.

MR HYDE, who had then known nothing of the Private
 consultation; and had many reasons to believe Himself to be
 design’d; stood up (notwithstanding some Signs made to him
 at a distance by his Northern Friends, which he understood
 not) and said “it concern’d him to justify what he had done,
 “being the First Man who mention’d the Protestation: upon
 which, there was a general Noise and Clamour “to With-
 draw; and as great, “to Speak: He proceeded, and said,
 “He was not old enough to know the Ancient Customs of
 “That House; but, that He well knew, it was a very An-
 cient Custom in the House of Peers; and Leave was never
 “denied There to any Man, who ask’d that he might Protest,
 “and enter his Dissent, against any Judgement of the House,
 “to which he would not be understood to have given his
 “Consent: That He did not understand any reason, why a
 “Commoner should not have the same Liberty, if he desired
 “not to be involv’d in any Vote, which he thought might
 “possibly be Inconvenient to him. That He had not offer’d
 “his Protestation against the Remonstrance, though he had
 “opposed it all he could, because it remain’d still within
 “those Walls; That he had only desired leave to Protest a-
 “gainst the Printing it; which, He thought, was not in many
 “respects Lawful for Them to do; and might prove very
 “Pernicious to the Publick Peace.

THEY were very much offended with all he said, and his
 assurance

assurance in speaking; and Mr *Strode* could not contain himself from saying, "that That Gentleman had confes'd that He had first propos'd the Protestation; and therefore defired, He might withdraw; which many Others likewise call'd for: till Sr *John Hotham* appear'd with some warmth against it; and young *Hotham*, his Son, accus'd *Jeffery Palmer* of giving the cause of Disorder, by saying, *I do Protest*, without asking the leave of the House; and encouraging Others to cry out every Man, *I do Protest*: whereupon, They all fell into great Noise and Confusion; and so, without much more discourse, Mr *Palmer* was call'd upon to Explain; which, as he was about to do, Mr *Hyde* (who lov'd him much; and had rather have suffer'd Himself, than that He should) spoke to the Orders of the House; and said, "That it was against the Orders and Practice of the House, that any Man should be call'd upon to Explain, for any thing he said in the House two days before; when it could not be presumed, that his own Memory could Recollect all the words he had us'd; or, that any body else could Charge him with them; and appeal'd to the House, whether there was any Precedent of the like. And there is no doubt, there never had been; and it was very irregular. But They were too positively resolv'd to be diverted; till, after two hours Debate, He himself desired, "That, to save the House further trouble, he might Answer, and withdraw; which he did. When it drew towards Night, after many hours Debate, it was order'd, "that he should be committed to the Tower; the Angry Men pressing, with all their Power, that he might be Expell'd the House; having born him a long grudge, for the Civility he shew'd in the Prosecution of the Earl of *Strafford*; that is, that He had not us'd the same reproachful Language which the Others had done: but They were at last glad to compound for his bare Commitment to the Tower; from whence he was within few days enlarg'd, and return'd again to the House. In the close of that day, and the rising of the House, without much opposition, They obtain'd an Order for the Printing their Remonstrance.

The Remonstrance order'd to be Printed.

THAT Remonstrance, after many clauses and unbecoming expressions were cast out, contain'd, "That there had been from the beginning of his Majesty's Reign, a Malignant and Pernicious Design, of Subverting the Fundamental Laws and Principles of Government, upon which the Religion and Justice of the Kingdom was Establish'd: That the Actors and Promoters thereof, were the Jesuited Papists; the Bishops, and Corrupt part of the Clergy; and such Counsellors and Courtiers, as had engaged themselves to

The substance of it.

"further

“further the Interests of some Forreign Princes or States, to
 “the Prejudice of the King and State at Home: All which
 “had endeavour’d to raise Differences and Discontents be-
 “twixt the King and his People, upon questions of Preroga-
 “tive and Liberty; to Suppress the Purity of Religion, and
 “such Men as were best affected to it, as the greatest Impe-
 “diment to that Change which They thought to introduce;
 “to cherish and maintain those Opinions in Religion, which
 “brought Ours nearest and most agreeable to the Papists;
 “and to continue, multiply, and enlarge the Differences be-
 “tween the Protestants themselves, distinguishing between
 “Protestants and Peritans, by introducing and countenancing
 “such Opinions and Ceremonies, as were fittest for accom-
 “modation with Popery; that so, of Papists, Arminians, and
 “Libertines, They might compose a Body, fit to act such
 “Counsels and Resolutions, as were most conducive to
 “their Own Ends: And lastly, to render the King Disaffec-
 “ed to Parliaments, by Slanders and False Imputations, and
 “so putting Him upon other ways of Supply, as of more ad-
 “vantage than the ordinary course of Subsidies, which brought
 “infinite Loss to the King and People, and caused the Di-
 “stractions that ensued.

THEY remember’d “the Breach of the Parliament at Ox-
 “ford in the first year of his Majesty’s Reign; and reproach’d
 “him with the Fruitless Voyage to *Cadix*, at his first coming
 “to the Crown; the Loss of *Rebel*, by first Suppressing
 “Their Fleet with his Own Royal Ships, by which the
 “Protestant Religion in *France* infinitely Suffer’d; the making
 “a War with *France* precipitately, and a Peace with *Spain*,
 “without Their Consent, and so deserting the Cause of the
 “*Palatinate*; and with a Design to bring in *German* Horse,
 “to force the Kingdom, by Violence, to Submit to such Arbi-
 “trary Contributions, as should be required of them.

THEY remember’d him “of Charging the Kingdom by
 “Billeting of Soldiers, and by raising of Coat and Conduct
 “Money for those Soldiers, in the Second and Third years
 “of his Reign; of his Dissolving the Parliament, in his Se-
 “cond year, after Their Declaration of an intent to grant
 “Five Subsidies; and the exacting those Five Subsidies after-
 “wards by a Commission of Loan; upon the refusal whereof,
 “divers Gentlemen were Imprison’d, whereof some Died,
 “by the Diseases they contracted in that Imprisonment; of
 “great Sums raised by Privy-Seals; and of an attempt to set
 “the Excise on foot.

THEY remember’d “the Dissolution of the Parliament in
 “the Fourth year of his Reign, and the Untrue and Scanda-
 “lous Declarations thereupon; the Imprisoning divers Mem-
 “bers

"bers of that Parliament after the Dissolution, and detaining
 "them close Prisoners for Words spoken in Parliament, Sen-
 "tencing and Fining them for those Words; One of which
 "Died in Prison for want of ordinary refreshment, whose
 "Blood (They said) still cry'd for Vengeance.

THEY reproach'd his Majesty "with Injustice, Oppres-
 "sion, and Violence, which, after the Breaking of that Parlia-
 "ment, broke in upon them, without any restraint or mode-
 "ration; with the great Sums of Money He had exacted
 "throughout the Kingdom for default of Knighthood, in the
 "Fourth year of his Reign; with the receiving Tonnage and
 "Poundage, from the death of King James; and raising the
 "Book of Rates, and laying New Impositions upon Trade;
 "with the Enlargement of Forrests, and Compositions there-
 "upon; the ingrossing Gun-powder, and suffering none to
 "buy it without Licence; with all the most odious Mono-
 "polyes of Soap, Wine, Salt, Leather, Sea-coal, and the rest
 "(which had been granted from his Majesty's first coming to
 "the Crown, and some of them before) "with the new Tax
 "of Ship-money, and the ill guarding the Seas, and leaving
 "the Merchants naked to the violence of the *Turkish* Pirates,
 "notwithstanding that extraordinary and extravagant Supply;
 "with the Vexations upon pretence of Nuisances in Building,
 "and thereupon raising great Sums of Money for Licences to
 "Build; and of Depopulation, that men might pay Fines to
 "continue the same misdemeanour; with the Seizing the
 "Merchants Money in the Mint; and an abominable Project
 "of making Brass Money. *They in y^e time of y^e Rebellion was indulg'd in diff.*

THEY repeated "the extravagant Confures of the Star-
 "Chamber, whereby the Subject had been oppress'd, by Fines,
 "Imprisonments, Stigmatizing, Mutilations, Whippings, Pil-
 "lories, Gags, Confinements, Banishments; the Severe and
 "Illegal Proceedings of the Council-Table, and Other new
 "erected Judicatories; and the Suspensions, Excommunica-
 "tions, and Deprivations, of Learned and Pious Ministers, by
 "the High Commission Court; which grew to that Excess
 "of Sharpness and Severity, that They said it was not much
 "less than the *Romish* Inquisition. *money so made being*
called Taxes. y^e y^e time
of y^e master stamp'd on
them.

THEY reproach'd the King "with the Liturgy and Canons
 "sent into *Scotland*, as an Attempt upon the Protestant Re-
 "ligion; with the Forcing that Nation to raise an Army in
 "Their Own Defence, and raising an Army against Them;
 "with the Pacification, and Breach of that Pacification; that
 "He call'd a Parliament after, in hope to Corrupt it, and
 "make it Countenance the War with *Scotland*; which when
 "He found it would Not do, he Dissolv'd it, and then com-
 "mitted Members to prison; and compell'd men to lend
 "Money

"Money against their wills; and Imprison'd such as refused.

THEY mention'd "the Synod held by the Bishops after
"the end of the Parliament, and the Canons and Oath made
"by them; the raising the Armies, Here and in *Ireland*,
"against the *Scots*; and the liberal Collection and Contribution
"from the Clergy, and the Catholics, towards that
"War; all the Favours that had been done to the Papists;
"the Reception and Entertainment of Seignior *Con*, and the
"*Conte Rozetti*, by the Queen, from *Rome*; and some Ministers
"sent by her Majesty thither.

IN a word, They left not any Error or Misfortune in Government; or any Passionate Exercise of Power, unmention'd, or unpress'd; with the Sharpest and most Pathetical Expressions to affect the People, that the general observation of the Wisest, or the particular Animosity of the most Disobliged, or ill Affected persons, could suggest, to the Disadvantage of the King, from the death of his Father, to the unhappy beginning of the present Parliament:

THEN They magnified their own Services: "That having found the Kingdom groaning under these Difficulties, which seem'd to be insuperable, They had, by the Divine Providence, overcome them all; That They had abolish'd Ship-money, and all Monopolies; and had taken away that which was the Root of all those Evils, the Arbitrary Power of Taxing the Subject, pretended to be in the King: "That the Living Grievances, the Evil Counsellors, were so quell'd; by the Justice done on the Earl of *Strafford*; the Flight of the Lord *Finch*, and Secretary *Windebank*; the Accusation and Imprisonment of the Arch-Bishop of *Canterbury*, and other Delinquents; that it was not like to the
"only an Ease to the present Times, but a Preservation to the Future.

THEY reckon'd up "all the Good Laws, and the Benefit the People receiv'd by those Laws; spoke of many Good Designs They had, for the Benefit of the Kingdom: But then Complain'd, "of Oppositions, and Obstructions, and Difficulties, with which They were encounter'd, and which still lay in their Way, with some strength, and much obstinacy; That there was a Malignant Party took heart again, that Preferr'd some of their own Agents and Factors, to Degrees of Honour, and to Places of Trust and Employment. That They had endeavour'd to work in his Majesty
"ill Impressions and Opinions of Their Proceedings; as if
"They had done altogether Their Own Work, and not His; and had obtain'd many things from him Prejudicial to the Crown, in respect of Prerogative, and Profit. To wipe
"out which Slander, They declared, all They had done was
"for

“for his Majesty, his Greatness, Honour, and Support: That, when They gave five and twenty thousand pounds a Month, for the relief of the Northern Counties, in the support of the *Scottish* Army, It was given to the King, for that He was bound to Protect his Subjects; and that, when They undertook the charge of the Army, which cost above fifty thousand pounds a Month, It was given to the King, for that it was his Majesty's Army, and the Commanders and Soldiers under contract with Him; and that, when They undertook to Pay their Brethren of *Scotland* three hundred thousand pounds, It was to repay the Damages and Losses They had sustain'd by his Majesty and his Ministers; and that those particulars, amounted to above Eleven hundred thousand pounds.

THEN They negligently and perfunctorily pass'd over his Majesty's Graces and Favours; “as being little more than in Justice He was obliged to grant; and of no considerable Loss and Damage to Himself: and promised the good People shortly Ease in the matter of Protections (by which, the Debts from Parliament men, and their Followers and Dependents, were not recoverable) and speedily to pass a Bill to that purpose. *Handwritten: This was not done till 17 Year*

THEN They inveigh'd against the Malignant Party, “that had sought to cause Jealousies between Them and their Brethren of *Scotland*; and that had such a Party of Bishops and Popish Lords in the House of Peers, as hinder'd the Proceedings of divers good Bills, Pass'd in the Commons House, concerning sundry great Abuses and Corruptions both in Church and State (when, at that time, the House of Peers had only refused to concur with them in Two Bills, that, of the Protestation; and, the taking away the Votes of Bishops out of the House of Peers) “that had attempted to Dissaffect and Discontent his Majesty's late Army, and to bring it up against the Parliament, and City of *London*; “that had raised the Rebellion in *Ireland*; and, if not by Their Wisdom prevented, had brought the like Misery and Confusion in this Kingdom. *X*

THEN They declared, “That They meant to have a general Synod, of the most Grave, Pious, Learned, and judicious Divines, of this Island (when at that time, there was scarce one Orthodox Divine in *England* in reputation with them) “who, assisted by some from Forreign Parts, professing the same Religion, should consider of all things necessary for the Peace and good Government of the Church; and present the result of their Consultations to the Parliament, to be there allow'd and confirm'd: That They would provide a competent Maintenance for Conscientious “and

“and Preaching Ministers, throughout the Kingdom: That
 “They intended to Reform and Purge the Fountains of
 “Learning, the two Universities; that the Streams flowing
 “from thence might be clear and pure, and an Honour and
 “Comfort to the whole Land: That his Majesty should be
 “Petition’d by Both Houses, to employ such Counsellors,
 “Embassadors, and other Ministers, in managing his business
 “at home and abroad, as the Parliament have cause to con-
 “fide in; without which, They could not give his Majesty
 “such Supplies for His Own support, or such Assistance for
 “the Protestant Party beyond the Seas, as was desired.

WITHAL They declared, “That the Commons might
 “have cause, often, Justly to take Exceptions at some Men
 “for being Counsellors, and yet not charge those Men with
 “Crimes; for that there are grounds of Diffidence, which
 “lye not in Proof; and others, which though they may be
 “Proved, yet are not Legally Criminal; as to be a known
 “Favourer of Papists; or to have been very forward in De-
 “fending or Countenancing some great Offenders, question’d
 “in Parliament; or to speak Contemptuously of Either House
 “of Parliament, or Parliamentary Proceedings; or Such as
 “are suspected to get Counsellors Places, or any other of
 “trust concerning Publick Employment, for Money: That
 “all good courses may be taken, to Unite the two Kingdoms
 “of *England* and *Scotland*; to be mutually aiding and assist-
 “ing one another, for the Common Good of the Island, and
 “the Honour of Both: With some other particulars of
 this nature.

*The ways by
 which the
 Party grew
 in the House
 of Commons.*

I KNOW not how Those men have already answer’d it to
 Their Own Consciences; or how they will answer it, to Him
 who can discern their Consciences; who having assumed their
 Countries Trust, and, it may be, with great Earnestness la-
 bour’d to procure that Trust, by their Supine Laziness,
 Negligence, and Absence, were the First Inlets to those In-
 undations; and so contributed to those Licenses which have
 overwhelm’d us. For, by this means, a Handful of men,
 much inferior in the beginning, in number and interest, came
 to give Laws to the Major part; and to shew that Three Di-
 ligent persons, are really a Greater and more Significant num-
 ber, than Ten Unconcern’d. They, by Plurality of Voices,
 in the end, converted or reduced the Whole Body to Their
 opinions. It is true, Men of Activity and Faction, in any
 design, have many Advantages, that a Composed and Settled
 Council, though industrious enough, usually have not; and
 some, that Gallant men cannot give themselves leave to en-
 tertain: for, besides Their through considering and forming
 their Councils before they execute them; They contract a

habit of ill Nature and Disingenuity necessary to Their affairs; and the temper of Those upon whom they are to work, that Liberal-minded men would not persuade themselves to entertain, even for the Prevention of all the Mischief the Others intend. And whosoever observes the ill Arts by which These men used to prevail upon the People in general; Their absurd, ridiculous Lying, to win the affections, and corrupt the understandings, of the Weak; and the bold Scandals, to confirm the Wilful; the boundless Promises They presented to the Ambitious; and Their gross, abject Flatteries, and Applications, to the Vulgar-spirited, would hardly give himself leave to use those Weapons; for the Preservation of the Three Kingdoms.

THE King had at that time a greater Disadvantage (besides the concurrence of ill and extraordinary accidents) than Himself, or any of his Progenitors, had ever had before; having no Servant of the House of Commons, of Interest, Ability, and Reputation, and of Faithfulness and Affection to his Service: *Sr Thomas Fearnley*, who was very Honest to him, and of good Abilities; through his indisposition of health, and trouble of mind for his Son's misfortune, having left the House, and the Court, and being retired into the Country; and *Sr Harry Vane* (who was the other only Privy-Counsellor) having committed those Faults to the King, he knew could not be forgiven; and those Faults to the Country, could not be forgotten; gave himself entirely to the disposition of the new Masters: and *Mr Saint-John*, who at the beginning was made Solicitor General; and thereby, had obliged himself by a particular Oath, "to Defend his Majesty's Rights; and in no case to be of Counsel, or give Advice, to the Prejudice of the King, and the Crown; was the Chief Instrument, to Devise and Contrive all the Propositions, and Acts of Undutifulness towards him. So that, whilst These men, and their Consorts, with the greatest deliberation, consulted; and disposed themselves to compass Confusion: They, who out of the most abstracted Sense of Loyalty to the King, and Duty to their Country, sever'd from any relations to the King's service, or hopes from the Court, preserv'd their own Innocence, and endeavour'd to uphold the good old frame of Government, receiv'd neither countenance nor conduct from Those who were naturally to have taken care of that province. And sure, the Raging and Fanatick Distemper of the House of Commons (to which all other distempers are to be imputed) must most properly be attributed, to the Want of Such good Ministers of the Crown in that Assembly, as being Unaw'd by any Guilt of their Own, could have watch'd Other men's; and inform'd, encouraged, and influenced,

Vol. I. Part 2. X Those,

Those, who stood well inclined to the Publick Peace.

To which purpose, if that Stratagem (though none of the best) of winning men by Places, had been practis'd, as soon as the resolution was taken at *York* to call a Parliament (in which, it was apparent, dangerous attempts would be made ; and that the Court could not be able to resist those attempts) and if *Mr Pym*, *Mr Hambden*, and *Mr Hollis*, had been then Preferr'd, with *Mr Saint-John* ; before they were desperately embark'd in their desperate designs ; and had Innocence enough about them, to trust the King, and be trusted by him ; having yet contracted no Personal animosities against him : it is very possible, that They might either have been made Instruments to have done good Service ; or at least been restrain'd, from endeavouring to Subvert the Royal Building, for supporting whereof They had been placed as principal Pillars.

BUT the Rule the King gave himself (very reasonable at any other time) that They should First do Service, and compass this or that thing for him, before they should receive Favour, was Then very unreasonable : since, besides that They could not in truth do him that Service without the qualification, it could not be expected They would desert that Side, by the Power of which They were sure to make themselves considerable, without an unquestionable mark of interest in the Other, by which They were to keep up their Power and Reputation : and so, whilst the King expected They should manifest their inclinations to His Service, by their Temper and Moderation in those Proceedings that most offended him ; and They endeavour'd, by doing all the Hurt they could, to make evident the Power They had to do him Good ; He grew so far Disobliged, and provoked, that he could not in Honour Gratify them ; and They so Obnoxious, and Guilty, that they could not think themselves Secure in his Favour : and thence, according to the Policy and Method of Injustice, continued to Oppress that Power They had Injured ; and to raise a Security for Themselves, by Disabling the King to question their transgressions.

*The King's
Reception
in London
upon his re-
turn out of
Scotland,
Nov. 25.*

NOTWITHSTANDING all these Contrivances to Lessen the Reputation of the Court (to which many other particulars contributed ; which will be touch'd hereafter) The City of *London* made great Preparations to receive the King. *Gourney*, then Lord Mayor, was a man of Wisdom, and Courage, and express'd great Indignation, to see the City so Corrupted, by the ill artifices of Factionous persons ; and therefore attended upon his Majesty, at his entrance into the City, with all the Lustre and good Countenance it could shew ; and as great professions of Duty, as it could make, or

she

the King expect. And on *Thursday*, the Five and Twentieth of *November*, the King: entred into *London*; receiv'd with the greatest acclamations of Joy, that had been known upon any occasion; and after a most magnificent Entertainment, by *Sr Richard Gournay* Lord Mayor, at the *Guild-Hall*; where the King, Queen, Prince, and the whole Court, of Lords and Ladies, were Feasted; his Majesty was attended by the whole City to *White-Hall*; where he lodg'd that night; and the Earl of *Essex* resign'd his Commission, of General on this side *Trent*; which had been granted for the Security of the Kingdom, at his Majesty's going into the North.

THE next day, the King went to *Hampton-Court*; and *Sr H. Vane* as soon as he came thither, took away the Seals from *Sr Henry Vane* ^{turn'd out from being Secretary of State.} (having before taken away his Staff of Treasurer of the Household from him, and conferr'd it upon the Lord *Savile*, in lieu of the Presidentship of the North; which he was to have had, if Both Houses had not delared that Commission to be illegal) and appointed the Guards, that were kept at *Westminster* for the Security of the two Houses, ever since the News out of *Scotland*, to be dismiss'd; and shortly after publish'd a Proclamation, "for Obedience to be given to the Laws establish'd, for the exercise of Religion.

THESE proceedings of his Majesty, much troubled the Managers in the Houle; and the Entertainment given to him by the City of *London*, in which Their entire confidence was, much dejected them; and made them apprehend, their Friends There were not so Powerful as They expected: However, They seem'd to abate nothing of their mettal; and shortly after his return, resolv'd to present Their Remonstrance, lately framed, to him, together with a Petition; in which, They complain'd "of a Malignant Party, which prevail'd so far, as to bring divers of Their Instruments to be "of his Privy-Council; and in other employments of trust "and nearness about his Majesty, the Prince, and the rest "of his Children: to which Malignant Party, amongst other wickedness, They imputed the Insurrection of the Papists in *Ireland*; and therefore, for the Suppressing that Wicked and "Malignant Party, They besought his Majesty, that He would "concur with his People, in a Parliamentary way, for the "depriving the Bishops of their Votes in Parliament (when at that time the Bill to that purpose had not pass'd the House of Peers) "and abridging Their immoderate power over the "Clergy; and for the removing unnecessary Ceremonies, by "which divers weak Consciences had been scrupled; That "He would remove from his Council Such Persons, as permitted to favour any of those Pressures wherewith the People had been griev'd; and that He would for the future

“employ Such persons in the Publick affairs, and take Such
 “to be near him in Places of trust, as his Parliament might
 “have cause to confide in; and that He would reject, and
 “refuse, all mediation and solicitation to the contrary, how
 “powerful and near foever; That He would forbear to alien-
 “cate any of the Forfeited Escheated Lands in *Ireland*, which
 “should accrew to the Crown by reason of this Rebellion.
 “Which Desires of Theirs being graciously fulfill’d by his
 “Majesty (They said) They would apply themselves to such
 “Courses and Counsels, as should support his Royal Estate,
 “with Honour and Plenty at home, with Power and Repu-
 “tation abroad; and by Their Loyal Affections and Ser-
 “vice, lay a sure and lasting foundation of the Greatness and
 “Prosperity of his Majesty, and his Royal Posterity in fu-
 “ture times.

THIS Petition, together with the Remonstrance, was pre-
 sented at *Hampton-Court*, on the First day of *December*; and
 within few days after, both the Petition and Remonstrance
 were by Order Printed, and with great industry Publish’d
 throughout the Kingdom. Albeit the King, at the receipt
 thereof, desired them not to publish either, till He should
 send his Answer: which he did shortly after, expressing;

*The King's
 Answer to
 the Petition.*

“How sensible He was of that Disrespect; reprehending
 “them for the Unparliamentariness of their Remonstrance in
 “Print; whereof (He said) “He would reserve to himself
 “to take such course, as He should think fit, in Prudence
 “and Honour. But to their Petition, He told them, “That
 “if They would make that Wicked and Malignant Party,
 “whereof they complain’d, known to his Majesty, He would
 “be as ready to Suppress and Punish it, as They could Be to
 “Complain; That by those Counsellors whom He had ex-
 “posed to Trial, He had given sufficient testimony, that there
 “was no man so near him, in place or affection, whom he
 “would not leave to the Justice of the Law, if They should
 “bring sufficient Proofs, and a particular Charge against him;
 “in the mean time, He wish’d them to forbear such general
 “Aspersions, as since they named None in Particular, might
 “reflect upon All his Council; That for the Choice of his
 “Counsellors, and Ministers of State, it was the natural Li-
 “berty all Freemen have, and the undoubted Right of the
 “Crown, to call Such to Secret Council, and Publick Em-
 “ployment, as He should think fit; yet He would be care-
 “ful to make election of Such, as should have given good
 “testimonies of their Abilities and Integrity, and against
 “Whom there could be no just cause of Exception; That for
 “the depriving the Bishops of their Votes in Parliament,
 “They should consider, that Their Right, was grounded
 “upon

*h. B. & W. Dugdale in his View. p. 584. say. in Jeffrey Palmer.
 inges of Stamford was committed for speaking ag. the printing
 the Remonstrance.*

"upon the Fundamental Law of the Kingdom, and Constitution of Parliament.

"FOR what concern'd Religion, Church Government, and the removing unnecessary Ceremonies, if the Parliament should advise him to call a National Synod, He should consider of it, and give them due satisfaction therein; declaring His Resolution, to maintain the Doctrine and Discipline establish'd by Law, as well against all invasions of Popery as from the irreverence of Schismatics and Separatists; wherewith, of late, this Kingdom, and this City abounds, to the great dishonour and hazard both of Church and State; for the Suppression of whom, his Majesty required Their timely and active Assistance.

"TO their desire concerning *Ireland*, He told them, He much doubted, whether it was Seasonable to declare resolutions of that nature, before the events of the War were seen; however, He thanked them for their advice; and conjured them, to use all possible diligence and expedition in advancing the Supplies thither; the Insolence and Cruelty of the Rebels daily increasing.

THE graciousness and temper of this Answer, made no impression on them; but they proceeded in their usual manner; framing and encouraging, underhand, those whispers, by which the Rebellion in *Ireland*, might be understood to receive some extraordinary countenance from the Court of *England*, the scandal whereof, They knew, would quickly fall upon the Queen.

AT this time, the diligence and dexterity of the Lord Mayor, caused an Address to be prepared to his Majesty, from the Court of Aldermen; which was sent by the two Sheriffs, and two others of that Body; by which, "his Majesty was humbly desired to Reside at *White-Hall*: which angered the Governing Party, as much as their kind reception had done. The Petition was graciously receiv'd; all the Aldermen knighted: and the Court, within a day or two, remov'd to *White-Hall*.

THE Letters out of *Ireland* were very importunate for Relief, of Men, Money, and Provisions; the Rebels very much increasing and taking Courage, from the slow proceeding here for their Suppression: which indeed was not advanced equal to Mens expectations; though the King, upon his first coming to the Houses after his return from *Scotland*, with great earnestness recommended it to them. Only, the Propositions made from *Scotland*, "for the sending ten thousand Men from thence, into *Ulster*, to be paid by the Parliament, were consented to; whereby some Soldiers, were dispatch'd thither, to defend their own Plantation; and did in truth, at our

see in p. 366. a Declaration published by J. K. on 17 Feb. of this Remembrance see another Remembrance in p. 391 &c.

Charge, as much Oppress the *English* that were There, as the Rebels could have done ; and had upon the matter the sole Government of that Province committed to them, the chief Towns and Garrisons which were kept by *English* being deliver'd into their Hands. The Lieutenant himself, the Earl of *Leicester* (who was now grown gracious to the Managers) made not that hast to his Charge some Men thought necessary ; pretending " that the Rebels had yet some apprehensions and terroure of His coming thither with great Forces and Provisions of all kinds ; but that if they should hear He were Landed, with so small a Strength as was yet raised, and in no better Equipage than he was yet able to go in, They would take Courage, and would Oppress him, before more Succours could come ; by reason, that They who yet stood upon their guard, and publickly sided not with Either (till, by the resistance and opposition They found prepared for them, they might guess who was like to prevail) would then freely declare, and join with the rest.

THE slow levying of Men, was imputed to the difficulty of getting Voluntiers ; their numbers, who had Commission, upon beating Drums, rising very inconsiderably : and therefore, They prepared a Bill for Pressing ; which quickly pass'd the Commons, and was sent up to the Lords. It cannot be supposed, that there could be then a scarcity of Men, or that it could be hard, within three Months after the Disbanding the Northern Army, to bring together as many Men as they had occasion to use : but their business was to get Power, not Men ; and therefore this Stratagem was used, to transfer the Power of Pressing Men from the King to Themselves ; and to get the King, that He might be now Able to raise Men for *Ireland*, to Disable himself from Pressing upon any other occasion. For, in the Preamble of this Bill which they sent up to the Lords (as they had done before the first Act for Tonnage and Poundage) they declared, " That the King had in no case, or upon any occasion, but the Intervention from a Forreign Power, Authority to Press the Freeborn Subject ; which could not consist with the Freedom and Liberty of his person.

THIS doctrine was new to the Lords, and contrary to the usage and custom of all times ; and seem'd to Them a great Diminution of that Regal Power, which was necessary for the Preservation of his own Subjects, and Assistance of his Allies ; which in many cases He was bound to yield. And the Attorney General took the Courage, " to desire the Lords (as He should often have done in other cases) " that He might be heard, on the King's behalf, before They con-

" sented

A Bill prepared in the House of Commons for Pressing men for Ireland.

The Preamble of the Bill, as it came from the Commons, excepted against in the House of Lords.

"sent to a Clause so Prejudicial to the King's Prerogative. This necessary stop was no sooner made, than the Commons laid aside the Consideration of *Ireland*; order'd their Committee, "to meet no more about that business; the Levies which were then making of Volunteers, stood still; and They declared, "that the Loss of *Ireland* must be imputed to "the Lords. On the other side, the Lords too well understood that Logick, to be moved by it; and were rather sensible of the inconveniencies They had incurr'd, by their former Compliance, than inclined to repeat the same Error.

IN the mean time, Letters came every day from *Ireland*, passionately bemoaning Their Condition; and multitudes of Men, Women, and Children, who were despoil'd of their Estates, and forced into this Kingdom for want of Bread, spoke more lamentably than the Letters. In this strait, they knew not what to do; for whatever discourse they pleas'd themselves with, concerning the Lords, it was evident the Fault would lye at their Own doors; besides that, his Majesty might make use of that occasion, to take the whole business out of Their Hands, and manage it Himself by his Council; which would both lessen Their Reputation and Interest, and indeed defeat much of what They had projected.

HEREUPON, Mr *Saint-John*, the King's Solicitor (a Man ^{Saint-John} that might be trusted in any Company) went privately to his Majesty; and seem'd to Him much troubled, "at the Interruption given by the Commons; and to grant, that the Preamble was Unreasonable, and ought to be insisted against by the Lords, on the behalf of his Majesty's Prerogative: However, He told him, since He thought it impossible to rectify the Commons in their understandings, it would be a great blessing to his Majesty, if He could offer an Expedient to remove that Rub, which must prove fatal to *Ireland* in a short time; and might grow to such a Disunion between the two Houses, as might much cloud the happiness of this Kingdom; and undoubtedly, could not but have a very Popular Influence upon both, when both Sides would be forwarder to acknowledge his Majesty's great Wisdom and Piety, than they could be now made to retract any thing that was Erroneous in Themselves: and then "advised him to come to the Houses; and "to express his Princely Zeal for the relief of *Ireland*; and "taking notice of the Bill for Pressing, depending with the Lords, and the Dispute rais'd, concerning that ancient and "undoubted Prerogative, to avoid further Debate, to offer, "that the Bill should pass with a *Salvo Jure*, both for the King and People; leaving such Debates to a time that might better bear it.

*The King
puts it in
practice.*

*The Lords
and Com-
mons declare
this to be a
Breach of
Privilege, in
a Petition to
the King.*

WHICH advice his Majesty follow'd; and coming to the House said the very words he had propos'd to Him. But now Their business was done (which truly, I think, no other way could have been compass'd) the divided Lords and Commons presently Unite themselves, in a Petition to the King; acknowledging his Royal Favour and Protection to be a great Blessing and Security to Them, for the enjoying and preserving all those private and publick Liberties and Privileges which belong unto them; and whensoever any of those Liberties or Privileges should be invaded, They were bound, with humility and confidence, to resort to his Princely Justice for Redress and Satisfaction; because the Rights and Privileges of Parliament, were the Birth-right and Inheritance, not only of Themselves, but of the whole Kingdom, wherein every one of his Subjects was interest'd: That amongst the Privileges of Parliament, it was Their ancient and undoubted Right, that his Majesty ought not to take notice of any matter in Agitation and Debate, in either House of Parliament, but by their information and agreement; and that his Majesty ought not to propound any Condition, Provision, or Limitation, to any Bill, or Act, in Debate or Preparation, in either House of Parliament; or to declare His consent or dissent, His approbation or dislike, of the same, before it be presented to him in due course of Parliament. They declared, That all those Privileges had been lately broken, to Their great sorrow and grief, in that Speech which his Majesty had made to them; wherein He took notice of a Bill for Pressing of Soldiers, not yet agreed upon; and offer'd a *Salvo Jure*, and provisional Clause, to be added to it, before it was presented to him: and therefore they besought Him, by his Regal Power to Protect them, in Those and the Other Privileges of his High Court of Parliament; and that He would not, for the time to come, break or interrupt them; and that, for the Reparation of them in that their Grievance and Complaint, He would declare and make known the Name of such Person, by whose misinformation, and Evil Counsel, his Majesty was induc'd to the same, that he might receive Con-dign Punishment. And this They did desire, and, as his greatest and most faithful Council, did advise his Majesty to perform; as a great advantage to Him, by procuring and confirming a Confidence and Unity betwixt his Majesty and his People, &c.

AND having deliver'd this Petition, They no more consider'd *Ireland*, till this manifest Breach should be repair'd; which they resolv'd nothing should do, but the Passing the Bill: and therefore, when the King offer'd, by a Message sent by

by the Earl of Essex, "That He would take care, by Commissions which He would grant, that ten thousand *English* X
 "Voluntiers, should be speedily raised for the Service of Ire-
 "land, if the Houses would declare that They would Pay
 "them; the Overture was wholly rejected: They neither
 being willing that such a Body of Men should be raised by
 the King's direction (which would probably be more at His
 devotion than They desired) nor in any other way than
 They proposed: and so in the end (after other ill Accidents
 intervening, which will be remember'd in order) He was
 compell'd to Pass the Bill concerning Pressing which They ^{Whereupon,} _{the Bill con-} ^{cerning press-} _{ing, Pass'd,}
 had prepared.

HOWEVER, for all this, and the better, it may be, for
 all this; the King, upon his arrival at *White-Hall*, found
 both his Houses of Parliament of a much better Temper
 than they had been; Many having great indignation, to see
 his Majesty so ill treated by his own Servants, and Those,
 who were most oblig'd to his Bounty and Magnificence; and
 likewise to discern, how much Ambition and Private Interest,
 was cover'd under Publick Pretences. They who were in
 truth Zealous for the Preservation of the Laws, the Reli-
 gion, and true Interest of the Nation, were solicitous to
 Preserve the King's Honour from any indignity, and his Re-
 gal Power from violation; and so always oppos'd Those who
 intrenched upon either, and who could compass their ends
 by no other means than by trampling upon both. So that,
 in truth, that which was call'd the King's Party, in both
 Houses, was made up of Persons who were Strangers, or
 without any Obligation, to the Court; of the best Fortunes,
 and the best Reputation, in their several Countries where
 they were known; as having always appear'd very Zealous in
 the maintenance of their just Rights, and Oppos'd, as much
 as in them lay, all illegal and grievous Impositions: whilst
 His own Privy-Council (two or three only excepted) and
 much the greater number of all his own Servants, either pub-
 licly Oppos'd, or privately Betray'd Him; and so much the
 more virulently abhor'd all Those who now appear'd to
 carry on His Service, because they presumed to undertake, at
 least endeavour (for they undertook nothing, nor look'd
 for any Thanks for their labour) to do that which Them-
 selves ought to have done; and so They were upon this dis-
 advantage, that whenever They press'd any thing in the
 House, which seem'd immediately to advance the King's
 Power and Authority, some of the King's Council, or his
 Servants, most oppos'd it, under the notion "of being Pre-
 "judicial to the King's Interest: whilst they who had us'd
 to govern and impose upon the House, made a shew of be-
 ing

ing more modest, and yet were more insolent; and endeavour'd, by setting new Counsels on foot, to entangle, and engage, and indeed over-reach the House; by cozening them into Opinions which might hereafter be applicable to their Ends, rather than to pursue their old Designs, in hope to obtain in the end a Success by their Authority. The Night of the Remonstrance had humbled them in that point: and from that time; They rather contriv'd ways to Silence those who oppos'd them; by traducing them abroad, or taking advantage against them in the House, for any Expressions they us'd in Debate which might be mis-interpreted; and so calling them to the Bar, or committing them to the Tower: which did in truth strike such a Terrour into the minds of many, that they forbore to come to the House, rather than expose themselves to many uneasinesses there.

*A Proposal
in the House
of Commons,
for a Com-
mittee to
consider of
the present
State and
Power of the
Militia:*

THERE was at that time, or thereabout, a Debate started in the House, as if by meer chance, which produced many Inconveniencies after; and, if there had not been too many concurrent Causes, might be thought the sole cause and ground of all the Mischiefs that ensued. Upon some report or discourse of some Accident, which had happen'd upon or in the Disbanding the late Army, an obscure Member mov'd, "That the House would enter upon the consideration, Whether the Militia of the Kingdom was so Settled by Law, that a suddain Force or Army could be drawn together, for the Defence of the Kingdom if it should be Invaded, or to Suppress any Insurrection or Rebellion if it should be attempted.

THE House kept a long Silence after the motion, the newness of it amusing most Men, and few in truth understanding the meaning of it; until one and another of the Members, who were least taken notice of, seeming to be moved by the weight of what had been said, enlarged upon the same Argument: and in the end it was propos'd, "That a Committee might be appointed, to consider of the present State of the Militia, and the Power of it; and to prepare such a Bill for the Settling it, as might provide for the Publick Peace, and for the Suppressing any Forreign Enemy, or Domestick Insurrection.

*This De-
bate:*

HEREUPON, They were inclined to nominate a Committee, to prepare such a Bill as should be thought necessary: Upon which, Mr Hyde spoke against the making any such Committee; said, "There could be no doubt, that the Power of the Militia resided in the King, in whom the Right of making War and Peace was invest'd; that there had never yet appear'd any defect of Power, by which the Kingdom had been in Danger, and we might reasonably expect the

"same

"same Security for the future. : With which the House seem'd well satisfied, and compos'd, and inclined to go on upon some other Debate ; until *Saint-John*, the King's Solicitor, and the only Man in the House of his Learned Council, stood up, and said, "He would not suffer that Debate; in *and Sell.*
 "which there had been so many weighty particulars men- *Gen. Baine-*
 "tion'd, to be discontinued without some Resolution; That *John de-*
 "He would be very glad there were that Power in the King *clares the*
 "(whose Rights He was bound to defend) as the Gentleman *Power of it*
 "who spoke last seem'd to imagine; which for his part he *Not to be in*
 "knew there was not; That the question was not about *the King :*
 "taking away Power from the King, which was vested in
 "Him (which was his Duty always to oppose) but to enquire,
 "whether there be such a Power in him, or any where else,
 "as is necessary for the Preservation of the King and the
 "People, in many cases that may fall out; and if there be
 "not, then to supply him with that Power and Authority;
 "and said, "He did take upon him with confidence to af-
 "firm, That there was a defect of such Power and Authority :
 "He put them in mind, "how that Power had been executed
 "in the Age in which we live; That the Crown had granted
 "Commissions to great Men, to be Lord Lieutenants of
 "Counties; and They, to Gentlemen of Quality, to be their
 "Deputy Lieutenants; and to Colonels, and other Officers,
 "to Conduct and List Soldiers; and then He wish'd them to
 "consider, what Votes they had pass'd, of the illegality of
 "all those Commissions, and of the unjustifiableness of all
 "the Proceedings which had been by virtue of those Com-
 "missions; So that let the Occasion or Necessity be what it
 "would, He did presume, no Man would hereafter Execute
 "any such Commission; and if there were any Man so hardy,
 "that no body would Obey them; and therefore desired Them
 "to consider, whether there be not a Defect of Power, and
 "whether it ought not to be supply'd.

It was now evident enough, that the Debate was not begun by chance, but had been fully deliberated; and what use they would make upon occasions, of those Volumes of Votes, They had often poured out upon all accidental Debates; and no Man durst take upon him to Answer all that had been alledg'd, by saying, all those Votes were of no Validity; and that the King's Right was, and would be judg'd the same it had been before, notwithstanding those Votes; which is very true: But this being urged by the King's own Solicitor, They appointed Him "to bring in and prepare such *He is ap-*
 "a Bill as He thought necessary; few Men imagining, that such *pointed to*
 "a Sworn Officer would not be very careful and tender of all his *bring in a*
 "Master's Prerogatives, which He was expressly Sworn to defend. *Bill to settle*
that matter ;

WITHIN

which He
does :

WITHIN few days after, He brought in a very short Bill; in which was mention'd by way of Preface, "That the Power over the Militia of the Kingdom was not Settled in any such manner, that the Security of the Kingdom was provided for, in case of Invasion, or Insurrection, or any sudden Accidents; and then an Enacting clause, "That henceforward the Militia, and all the Power thereof, should be vested in — &c; and then a large Blank left; for inserting Names; and afterwards, "the absolute Authority to Execute — &c. The ill meaning whereof was easily understood; and with some warmth press'd: "That by this Bill, all the Power would be taken out of the Crown, and put into the hands of Commissioners. To which the Solicitor made Answer, "That the Bill took no Power from any body who had it, but provided to give Power where it was not; nor was there mention of any Commissioners; but a Blank was therefore left, that the House might fill it up as They thought fit, and put the Power into Such hands as They thought proper; which, for ought He knew, might be the King's; and He hoped it would be so.

The Bill re-
ceiv'd.

AND with this Answer the Bill was receiv'd, notwithstanding all opposition, and Read: all Those persons who had been formerly Deputy Lieutenants, and lay under the Terror of that Vote, presuming, that this Settlement would provide for the Indemnity of all that had pass'd before; and the Rest, who might still be expos'd to the same hazards, if they should be required to act upon the like occasions, concurring in the desire, that somewhat might be done for a general Security; and They who had contrived it, were well enough contented that it was Once read; not desiring to prosecute it, till some more favourable conjuncture should be offer'd: and so it rested.

The King
dismisses Sr
William
Balfour
from being
Lieutenant
of the Tower.

ABOUT this time, the King not being well satisfied in the affection or fidelity of Sr *William Balfour*; whom He had some years before, to the great and general Scandal, and Offence of the *English* Nation, made Lieutenant of the Tower; and finding that the Seditious Preachers every day prevail'd in the City of *London*, and Corrupted the Affections and Loyalty of the meaner People towards the Government of the Church and State; resolv'd to put that Place (which some Men fancied to be a Bridle upon the City) into the Hands of such a Man as He might rely upon: and yet, He was willing to be quit of the Other, without any Act of Disobligation upon him; and therefore gave him three thousand pounds, ready Money, which was rais'd by the Sale of some of the Queen's own Jewels: and immediately caus'd Colonel *Lansford* to be Sworn in his place, Lieutenant of the Tower.

THIS

THIS was no sooner known, than the House of Commons found themselves concern'd in it; and upon pretence ^{Colonel} "that so excellent a person, as *Sr William Balfour* (who in ^{Lansford} truth was very gracious to them, for the safe keeping the ^{put in his} Earl of *Strafford*) "could not be remov'd from that Charge, "but upon some eminent Design against the City and the "Kingdom; and that the man who was appointed for his "Successor was a person of great Licence, and known only "by some Desperate acts; for which He had been formerly "Imprison'd by the State, and having made his escape, fled "the Kingdom: They desired the Lords to join with Them "in a Petition to the King, to put the Tower into Better "hands; making such arguments against the Person of the man, as before spoken of. The Lords replied to them, "That it was an argument of that nature, They thought "not themselves competent Advisers in it; the custody of the "Tower being solely at the King's disposal, who was Only "to judge of the Fitness of the Person for such a Charge: But, at the same time that They refused to join in a Publick Desire to the King, They intimated Privately Their Advice to him, "That He should make choice of a Fitter Person, "against whom no Exceptions could be made. For indeed, *Sr Thomas Lansford* was not then known enough, and of reputation equal to so invidious a province; and thereupon, ^{The Colonel} within two or three days at most, He resign'd the Place, and ^{resigns, and} the King gave it *Sr John Byron* ^{Byron is put in.}

THIS gave them no Satisfaction in the Change, since it had no reference to Their Recommendation; which They only look'd after: but it gave them great delight, to see that the King's Counsels were not so fix'd, but Their Clamour might alter them; and that doing Hurt, being as desirable a degree of Power, to some men, as doing Good, and likely to gain them more Profelytes, They had Marr'd a man, though They could not Make one. And without doubt, it was of great Disadvantage to the King, that That Counsel had not been form'd with such deliberation, that there would need no alteration; which could not be made, without a kind of Recognition.

ALL this time, the Bill depended in the Lords House, ^{Touching the} "for the taking away the Votes of Bishops, and removing ^{Bill against} "them from the House of Peers; which was not like to make ^{the Bishops} a more prosperous progress there, than it had six Months before; it being evident, that the Jurisdiction of the Peerage was invaded by the Commons; and therefore, that it was ^{Votes, depending in} not reasonable to part with any of their Supporters. But the ^{the House} Virulence against them still increased; and no Churches frequented, but where They were Preach'd against, as Anti-^{of Tyranny} Christian; The Presses swell'd with the most virulent In-^{the House of} vectives ^{King.} *see in p. 416 an*
Acc. of his being
pass'd in that House
in p. 428 by the
had been
sent away under
master of it said p. 302.

vectives against them ; and a Sermon was Preach'd at *Westminster*, and afterwards Printed, under the Title of *The Protestation Protested*, by the infamous *Burton*, wherein He declared, "That all men were obliged by their late Protestation, by what means soever, to remove both Bishops and the Common-Prayer Book out of the Church of *England*, as "Impious and Papiſtical: whilst all the Learned and Orthodox Divines of *England*, were look'd upon under the notion of Scandalous Ministers ; and if the Meanest, and most Vicious Parishioners They had, could be brought to prefer a Petition against either of them to the House of Commons (how False soever) He was sure to be Prosecuted as such.

A Petition
publish'd, in
the name of
the Apprenti-
ces, against
Papiſts and
Prelates.

IN the end, a Petition was Publish'd, in the name " of the
" Apprentices, and Those whose Apprenticeships were lately
" expired, in and about the City of *London*; and directed,
" To the King's most excellent Majesty in the Parliament now
" assembled ; Shewing, " That They found by experience,
" both by their Own and Masters Tradings, the beginning of
" great Mischiefs coming upon them, to nip them in the bud,
" when they were first entring into the World ; the Cause of
" which, They could attribute to no others but the Papiſts,
" and the Prelates, and that Malignant Party which adhered
" to them : That they stood solemnly engaged, with the ut-
" most of their Lives and Fortunes, to Defend his Sacred Ma-
" jesty, and Royal Issue, together with the Rights and Liber-
" ties of Parliaments, against Papiſts, and Popish Innovators ;
" such as Arch-Bishops, Bishops, and their dependents, ap-
" pear to be. They desired his Majesty in Parliament to take
" notice, that, notwithstanding the much unwearied pains
" and industry of the House of Commons, to subdue Popery,
" and Popish Innovators ; neither is Popery yet subdued, nor
" Prelates are yet remov'd ; whereby Many had taken en-
" couragements desperately to Plot against the Peace and
" Safety of his Dominions : witness the most Barbarous and
" Inhuman Cruelties perpetrated by the Papiſts in *Ireland* ;
" from whence (They said) a new spring of Fears and Jea-
" lousies arose in them : and therefore They desired, that the
" Popish Lords, and other eminent and dangerous Papiſts, in
" all the parts of the Kingdom, might be look'd unto, and
" Secured ; the Laws against Priests and Jesuits fully executed ;
" and the Prelacy rooted up : That so the work of Reforma-
" tion might be prosperously carried on ; Their distracting
" Fears remov'd ; that the freedom of Commerce and Trade
" might pass on more chearfully, for the encouragement of
" the Petitioners, &c.

THIS, and such stuff, being Printed, and scatter'd amongst
the People ; Multitudes of mean persons flock'd to *Westmin-
ster-Hall*,

fer-Hall, and about the Lords House; crying as they went up and down, *No Bishops, No Bishops*, "that so they might carry
"on the Reformation.

I SAID before, that upon the King's return from *Scotland*, He discharged the Guards that attended upon the Houses. Whereupon, the House of Commons (for the Lords refused to join with them) Petition'd the King "in regard of the
"Fears They had of some Design from the Papists, that
"They might continue such a Guard about them as They
"thought fit. *The Commons
Petition the
King for a
Guard.*

To which His Majesty answer'd, "That He was confident they had no just cause of Fear; and that They were as
"Safe, as Himself and his Children: but, since They did
"avow such an apprehension of Danger, that He would appoint a sufficient Guard for them. And thereupon, directed the Train-bands of *Westminster* and *Middlesex* (which consisted of the most substantial Householders, and were under known Officers) in fit numbers to attend. *His Majesty's
Answer.*

THIS Security was not liked; and it was ask'd, — *Quis custodiet ipsos Custodes* —? And when the disorderly Rabble, spoke of now, first came down, They resisted them, and would not suffer them to disturb the Houses; and Some of them, with great rudeness, pressing to the door of the House of Peers, their Lordships appointed the Guards to be call'd up to remove them; and the Earl of *Dorset*, being then Lord Lieutenant of *Middlesex* (the Crowd oppressing him, and refusing to leave the Room) in some Passion, call'd upon the Guard "to give Fire upon them; whereupon, the Rabble Frighted, left the place, and hastened away.

THE House of Commons, incensed that Their Friends should be so used, much Inveigh'd against the Earl of *Dorset*; and talk'd, "of Accusing him of High Treason; at least, "of drawing up some Impeachment against him; for some Judgement he had been Party to, in the Star-Chamber, or Council-Table: and so, giving these hints of Their Displeasure, that He might have the more care how he carried himself; They concluded, that since They could not have such a Guard as pleas'd Them, They would have None at all: and so sent to the Lords "for the Discharge of the "Train-bands that attended: who willingly consented to it; and it was done accordingly: The House of Commons declaring "That it should be Lawful, for every Member to "bring his own Servant, to attend at the door, Arm'd with "such Weapons as They thought fit.

It was quickly understood abroad, that the Commons liked well the Visits of their Neighbours: So that the People assembled in greater Numbers than before, about the House *Great Numbers
gather about
the House of
Peers.*

of Peers; calling still out with one Voice, *No Bishops, No Popish Lords*; Crowded and Affronted such Lords as came near them, who They knew affected not their ends; calling them *Rotten-hearted Lords*.

HEREUPON, the House of Peers desired a Conference with the Commons; at which, They complain'd of those Tumults; and told them, "That such Disorders would be an Imputation upon the Parliament, and make it be doubted Whether they had Freedom; and so might happily become a Blemish to those many good Laws They had already Pass'd, as well as Prevent the making more; and therefore desired them, that They would, for the Dignity of Parliaments, join with Them in a Declaration, for the Suppressing such Tumults. This was reported to the Commons; and as soon laid aside, for the handling of other matters of more importance.

THE Tumults continued: and their Insolencies increas'd; insomuch, as many Dissolute and Prophane People, went into the Abby at *Westminster*, and would have pull'd down the Organs, and some Ornaments of the Church; but being resisted, and by force driven out, They threatned, "They would come with greater numbers, and pull down the Church.

HEREUPON, the Lords send again to the House of Commons, to join with them in their Declaration; and many Members of that House complain'd, "that they could not come with safety to the House; and that some of them had been assaulted, and very ill entertain'd, by those People that crowded about the door. But this Conference could not be procured; the Debate being still put off to some other time; after several Speeches had been made in Justification of them, and Commendation of their affections: Some saying, "They must not Discourage their Friends, This being a time They must make use of All friends; Mr *Pym* himself saying, "God forbid the House of Commons should proceed, in any way, to Dishearten people to obtain their Just Desires in Such a way.

The Lords direct a writ to be issued out to appoint watches.

IN the end, the Lords required the advice of the Judges, "what course was Legally to be taken, to Suppress and Prevent those Disorders; and thereupon, directed the Lord Keeper of the Great Seal, "to issue out a Writ, upon the Statute of *Northampton*, to the Sheriff and Justices, to appoint strong Watches in such places as They judg'd most convenient, to hinder that unlawful conflux of People to *Westminster*, to the disturbance of Their consultations. Which Writ issuing accordingly, the Justices of the Peace, in obedience thereunto, appointed the Constables to attend at the Water

Water side, and places near about *Westminster*, with good Watches, to hinder that Tumultuous resort.

THIS was no sooner done, than the Constables were sent for, by the House of Commons, and after the view of their Warrants, required to Discharge their Watches. And then the Justices were convened, and examin'd; and albeit it appeared, that what They had done was in pursuance of a Legal Writ, directed to them under the Great Seal of *England*, by the advice of the Lords in Parliament, without so much as conferring with the Lords upon that Act of theirs, the setting such a Watch, was voted to be "a Breach of Privilege: and one of the Justices of the Peace, who according to his Oath had executed that Writ, was committed to the Tower for that offence.

UPON this encouragement, all the Factious and Schismatical People about the City and Suburbs, assembled themselves together with great licence; and would frequently, as well in the night as the day, convene themselves, by the sound of a Bell, or other token, in the Fields, or some convenient place, to consult, and receive Orders from Those by whom they were to be disposed. A meeting of this kind being about the time we speak of in *Southwark*, in a place where their Arms and Magazine for that Burrough was kept; the Constable, being a sober man, and known to be an Enemy to those acts of Sedition, went among them, to observe what they did; he was no sooner espied, but he was reproach'd with disdainful words, beaten, and dragg'd, in so barbarous a manner, that he hardly escaped with his life. Complaint was made to the next Justices; and Oath of the Truth of the complaint made: whereupon, a Writ was directed to the Sheriff, to impanel a Jury according to Law, for the inquisition, and examination of that Riot.

THIS was complain'd of in the House of Commons, as an act that concern'd Their Privileges; for that it was pretended, "That meeting in *Southwark* had been made by godly and well affected men, only to draw up and prepare a Petition against Bishops; and that the Constable, being a Friend to Bishops, came amongst them to cross them, and to hinder men from Subscribing that wholsom Petition. Upon this discourse, without any further examination, an Order was made by that House, "That the Under-Sheriff of *Surrey* should be enjoin'd, not to suffer any Proceedings to be made upon any Inquisition, that might concern any persons who met together to Subscribe a petition to be prefer'd to that House.

By this, and other means, all obstacles of the Law being remov'd, and the People taught a way to assemble Lawfully
Vol. I. Part 2. Y. together,

The Tumults
increase a-
bout White-
Hall and
Westmin-
ster.

Whereupon
all the Bi-
shops and
many of both
Houses with-
drew from
their At-
tendance.

together, in how Tumultuous a manner soever, and the *Christ-
mas* Holy-days giving more leave and licence to all kind of
People, the Concourse grew more numerous about *Westmin-
ster*; the Rabble sometimes, in their passage between the
City and *Westminster*, making a stand before *White-Hall*, and
crying out, *No Bishops, No Bishops, No Popish Lords*, would
say aloud, "That They would have no more Porters Lodge,
"but would Speak with the King when They pleased: and
when They came near the two Houses, took Papers out of
their Pockets, and getting upon some place higher than the
rest, would Read the Names of several persons, under the
Title of *Disaffected Members of the House of Commons*; and
call'd many Lords, *False, Evil, and Rotten-bearded Lords*. But
Their Rage and Fury against the Bishops grew so high, that
They threaten'd to Pull down their Lodgings where they lay;
offer'd to Force the Doors of the Abby at *Westminster*,
which were kept Lock'd many days, and defended by a con-
tinual Guard within; and Assaulted the Persons of some of
the Bishops in their Coaches; and laid hands on the Arch-
Bishop of *York*, in that manner, that, if he had not been sea-
sonably rescued, it was believ'd They would have Murder'd
him: So that all the Bishops, and many other Members, of
Both Houses, withdrew themselves from attending in the
Houses, out of a real apprehension of endangering their Lives.

THESE Insurrections by this means were so Countenanced,
that no industry or dexterity of the Lord Mayor of *London*,
Sr Richard Gournay, could give any Check to them; but
instead thereof, Himself (with great and very notable courage
Opposing all Their Fanatick humours, both in the Court of
Aldermen and at the Common Council) grew to be reckon'd
in the First Form of the *Malignants* (which was the term
They imposed upon all Those They meant to render Odious
to the People) inasmuch, as His House was no less threatned
and disquieted by the Tumults, than the House of Lords:
and when He apprehended some of Those who were most
notorious in the Riot, and committed them to the custody of
Both the Sheriffs of *London* in Person to be carried to *New-
gate*, They were, by the power and strength of their Compa-
nions, Rescued from Them in *Cheapside*, and the Two She-
riffs compelled to Shift for their own safety. And when it
was offer'd to be proved by a Member in the House of Com-
mons, That the Wife of Captain *Venn* (having received a
Letter from Her Husband to that purpose) who was one of
the Citizens that served for *London*, and was known Him-
self to lead those men, that came Tumultuously down to
Westminster, and *White-Hall*, at the time of the Passing the Bill
of Attainder of the Earl of *Strafford*, had with great industry
Solicited

conc. which see under
imp. 256 &c.

Solicited many People to go down with their Arms to *Westminster*, upon a day (that was named) when She said, her Husband had sent her word, that in the House of Commons They were together by the Ears, and that the worse Party was like to get the better of the good Party; and therefore her Husband desired his Friends to come with their Arms to *Westminster* to help the good Party; and that thereupon many in a short time went thither: They who offer'd to make Proof of the same, were appointed to Attend many days; but notwithstanding all the importunity that could be used, were never admitted to be Heard.

ALL this time the King (who had been with great Solemnity invited by the City of *London*, and desired to make his Residence nearer to Them than *Hampton-Court*) was at *White-Hall*, where, besides his ordinary Retinue, and menial Servants, many Officers of the late Disbanded Army, who Solicited Their remainder of Pay from the Two Houses, which was secured to Them by Act of Parliament, and expected some farther employment in the War with *Ireland*, upon observation, and view of the Insolence of the Tumults, and the Danger, that they might possibly bring to the Court, offer'd themselves for a Guard to his Majesty's Person; and were with more Formality and Ceremony entertained by Him, than upon a just computation of all distempers, was by many conceived Seasonable. And from these Officers, warm with indignation at the Insolence of that vile Rabble, which every day passed by the Court, first Words of great Contempt, and then, those words commonly finding a Return of equal Scorn, Blows were fastened upon some of the most Pragmatical of the Crew. This was looked upon by the House of Commons like a Levying War by the King; and much pity expressed by Them, that the poor People should be so used, who came to Them with Petitions (for some few of them had received some Cuts, and Slashes, that had drawn Blood) and that made a great argument for Reinforcing their Numbers. And from those contestations, the two Terms of *Round-Head* and *Cavalier* grew to be received in discourse, and were afterwards continued for the most distinct distinction of affections throughout the quarrel: They who were looked upon as Servants to the King, being then called *Cavaliers*; and the other of the Rabble contemned, and despised, under the name of *Round-Heads*.

THE House of Commons being at this time without any Member, who having Relation to the King's Service, would express any Zeal for it, and could take upon him to say to others, whom he would trust, what the King desired, or to whom they who wished well, could resort for advice, and direction;

Some Officers
Repell the
Rabble about
White-
Hall.

Hence the
terms of
Round-
Head and
Cavalier.

The Lord
Falkland
made Secre-
tary of State,
and Sr John
Colepepper
Chancellor of
the Exche-
quer.

direction; so that whilst there was a strong Conjunction, and Combination to disturb the Government by depraving it, whatever was said or done to Support it, was as if it were done by chance, and by the private dictates of the reason of private men; the King Resolved to call the Lord *Falkland*, and Sr *John Colepepper*, who was Knight of the Shire for *Kent*, to his Council; and to make the former Secretary of State in the place of *Vane*, that had been kept vacant; and the latter Chancellor of the *Exchequer*, which Office the Lord *Cottington* had Resigned, that Mr *Pym* might be put into it, when the Earl of *Bedford* should have been Treasurer, as is mention'd before. They were Both of great Authority in the House; neither of them of any relation to the Court; and therefore what They said made the more Impression; and They were frequent Speakers. The Lord *Falkland* was wonderfully beloved by all who knew him, as a man of Excellent Parts, of a Wit so Sharp, and a Nature so Sincere, that nothing could be more Lovely. The Other was generally esteemed as a good Speaker, being a man of an Universal Understanding, a Quick Comprehension, a Wonderful Memory, who commonly Spoke at the end of the Debate; when he would recollect all that had been said of Weight on all sides with great exactness, and express his own Sense with much clearness, and such an application to the House, that no man more gathered a general Concurrence to his Opinion than he; which was the more notable, because his Person, and manner of Speaking were ungracious enough; so that He prevailed only by the strength of his Reason, which was enforced with Confidence enough.

THE King knew Them to be of good Esteem in the House, and good Affections to his Service, and the quiet of the Kingdom; and was more easily perswaded to bestow those Preferments upon Them, than the Lord *Falkland* was to accept that which was designed to him. No man could be more Surprized than He was, when the first Intimation was made to him of the King's purpose: He had never propos'd any Such thing to himself, nor had any Veneration for the Court, but only Such a Loyalty to the King as the Law required from him. And He had naturally a Wonderful Reverence for Parliaments, as believing them most Sollicitous for Justice, the Violation whereof in the least degree he could not forgive any Mortal Power: and it was only his Observation of the Disingenuity, and want of Integrity in this Parliament, which lessened that Reverence to it, and had dispos'd him to cross, and oppose Their designs: He was so totally unacquainted with business, and the forms of it, that He did believe really he could not Execute the Office with any Sufficiency.

ciency. But there were two Considerations that made most Impressions upon him; the One, lest the World should believe, that his own Ambition had procured this Promotion, and that he had therefore appeared Signally in the House to Oppose those Proceedings, that he might thereby render himself gracious to the Court: The Other, lest the King should expect such a Submission, and Resignation of himself, and his own reason, and judgement to his Commands, as he should never give, or pretend to give; for he was so severe an Adorer of Truth, that he could as easily have given himself leave to Seal as to Dissemble; or to suffer any Man to think that he would do any thing, which he Resolv'd not to do; which he thought a more mischievous kind of Lying, than a positive averring what could be most easily contradicted.

It was a very difficult task to Mr *Hyde*, who had most Credit with him, to persuade him to submit to this purpose of the King's chearfully, and with a just sense of the Obligation, by promising that in those Parts of the Office, which required most Drudgery, he would help him the best he could. But above all he prevail'd with him, by enforcing the ill consequence of his refusal to take the Office, which would be interpreted to his dislike of the Court, and his Opinion, that more would be required from him than he could honestly comply with, which would bring great Prejudice to the King: On the other hand, the great Benefit that probably would redound to the King, and the Kingdom, by his accepting such a Trust in such a general defection, by which he would have opportunity to give the King a truer Information of his own Condition, and the State of the Kingdom, than it might be presumed had been given to him, and to prevent any Counsels or Practice, which might more alienate the Affections of the People from the Government; and then, that by this relation He would be more able to do the King Service in the House, where he was too well known to have it believed, that he attained to it by any unworthy Means or Application. In the end, He was persuaded to submit to the King's good Pleasure, though he could not be prevail'd with to accept it with so good a Grace, as might raise in the King any notable Expectation of his departing from the severity of his own Nature.

Thus, He and *Colepepper* were both invested in those Offices, to the no small displeasure of the Governing Party, which could not dissemble their Indignation, that any of their Members should presume to receive those Preferments, which they had designed otherwise to have disposed of. They took all opportunities to express their dislike of Them, and to Oppose any thing they Proposed to Them. And within few

days there came a Letter out in Print, pretended to be Intercepted, as written from a Roman Catholick to another of the same Profession, in which he gives an account, "That they had at last, by the interest of their Friends, procured those two Honourable Persons (before mention'd) "to be preferred to those Offices, and that they were well assured that they would be ready to do them, and all their Friends, "all good Offices. *Sr John Colepepper* thought fit to take notice of it in the House, and to make those Professions of his Religion, which he thought necessary. But the Lord *Falkland* chose rather to Contemn it, without taking notice of the Libel, well knowing that he was Superior to those Calumnies, as indeed he was; all of that Profession knowing that he was most irreconcilable to their Doctrine, though He was always Civil to their Persons. However grievous this Preferment was to the angry part of the House, it was very grateful to all those, both within and without the House, who wished well to the King, and the Kingdom.

THE King at the same time Resolved to remove another Officer, who did disserve him notoriously, and to Prefer *Mr Hyde* to that place, with which his Gracious intentions his Majesty acquainted him, but he positively refused it, and assured him, "That he should be able to do much more Service "in the condition he was in, than he should be, if that were "improved by any Preferment, that could be conferred upon him at that time; and he added, "That he had the Honour to have much Friendship with the two Persons, who "were very Seasonably advanced by his Majesty, when his Majesty's Service in the House of Commons, did in truth "want some Countenance, and Support; and by his Conversation with Them, he should be so well instructed by "Them, that he should be more useful to his Majesty, than "if it were under a nearer relation and dependence. The King, with a very Gracious countenance, told him, "that he "perceived he must, for some time, defer the laying any "Obligation upon him; but bid him be assured he would find "both a Proper Time, and a Suitable Preferment for him, "which he should not refuse. In the mean time, he said, he "knew well the Friendship between the two Persons, whom "he had taken to his Council, and him; which was not the "least motive to him to make that choice; and that he "would depend as much upon his Advice, as upon either "of theirs; and therefore wished that all Three would Confer together, how to conduct his Service in the House, and "to advise his Friends how to carry themselves most to the "advantage of it, and to give him constant Advertisment "of what had Pass'd, and Counsel when it was fit for him
"to

"to do any thing; and declared, that He would do nothing, "that in any degree concerned, or related to his Service in "the House of Commons, without their joynt Advice, and "exact Communication to them of all his own Conceptions; which, without doubt, his Majesty did at that time stedfastly Resolve, though in very few days he did very Fatally swerve from it.

By what hath been said before, it appears that the Lord *Digby* was much trusted by the King, and he was of great familiarity, and friendship with the other Three, at least with Two of them; for he was not a Man of that Exactness, as to be in the entire Confidence of the Lord *Falkland*, who looked upon his Infirmities with more Severity than the other Two did; and he liv'd with more Frankness towards those Two, than he did towards the Other: Yet even between those Two there was a free Conversation, and Kindness to each other. The Lord *Digby* was a Man of very Extraordinary Parts by Nature and Art, and had surely as good and excellent an Education as any Man of that Age in any Country: a Graceful and Beautiful Person; of great Eloquence and becomingness in his Discourse (save that sometimes he seem'd a little affected) and of so Universal a Knowledge, that he never wanted Subject for a Discourse: He was equal to a very good part in the greatest Affairs, but the unfittest Man alive to conduct them, having an Ambition, and Vanity Superior to all his other Parts, and a Confidence in himself, which sometimes intoxicated, and transported, and exposed him. He had from his Youth, by the disobligations his Family had undergone from the Duke of *Buckingham*, and the great Men who succeeded him, and some sharp reprehension himself had met with, which obliged him to a Country Life, contracted a prejudice, and ill will to the Court; and so had in the beginning of the Parliament, engaged himself with that Party which discover'd most Aversion from it, with a Passion and Animosity equal to theirs, and therefore very acceptable to Them. But when he was weary of their violent Counsels, and withdrew himself from them with some circumstances which enough provoked them; and made a Reconciliation, and mutual Confidence in each other for the future, manifestly impossible amongst them; he made private and secret offers of his Service to the King, to whom in so general a defection of his Servants, it could not but be very agreeable; and so his Majesty being satisfied both in the Discoveries he made of what had passed, and in his Professions for the future, remov'd him from the House of Commons, where he had render'd himself marvellously ungracious, and called him by Writ to the House of Peers, where he did

visibly Advance the King's Service, and quickly rendred himself grateful to all those who had not thought too well of him before, when he deserved less; and Men were not only pleas'd with the Assistance he gave upon all Debates, by his Judgement and Vivacity, but look'd upon him, as one, who could derive the King's Pleasure to them, and make a lively representation of their good demeanour to the King, which he was very luxuriant in promising to do, and officious enough in doing as much as was just.

He had been instrumental in promoting the Three Persons above mention'd to the King's Favour; and had himself in truth so great an Esteem of them, that he did very frequently, upon Conference together, depart from his own Inclinations and Opinions, and Concurr'd in theirs; and very few Men of so great Parts were, upon all occasions, more Counsellable than he; so that he would seldom be in danger of running into great Errors, if he would communicate, and expose all his own thoughts and inclinations to such a disquisition; nor was he un inclinable in his Nature to such an entire communication in all things which he conceived to be difficult. But his fatal infirmity was, that he too often thought difficult things very easy; and consider'd not possible consequences, when the Proposition administred somewhat that was delightful to his Fancy, by pursuing whereof he imagined he should reap some Glory to himself, of which he was immoderately Ambitious: So that if the consultation were upon any Action to be done, no Man more implicitly entred into that Debate, or more chearfully resign'd his own conceptions to a joyn't determination: But when it was once affirmatively resolv'd (besides that he might possibly reserve some impertinent circumstance, as he thought, the imparting whereof would change the nature of the thing) if his Fancy suggest'd to him any particular, which himself might perform in that Action, upon the imagination that every body would approve it if it were propos'd to them, he chose rather to do it, than communicate it, that he might have some signal part to himself in the Transaction, in which no other Person might claim a share.

By this unhappy Temper he did often involve himself in very unprosperous Attempts. The King himself was the unfittest Person alive to be serv'd by such a Counsellor, being too easily inclin'd to suddain Enterprizes, and as easily startled when they were entred upon. And from this unhappy Composition in the One, and the Other, a very unhappy Counsel was propos'd, and Resolution taken, without the least communication with either of the Three, who had been so lately admitted to an entire Trust.

THE

THE Bishops, who had been, in the manner before spoken of, driven, and kept from the House of Peers, and not very Secure in their own, could not have the patience to attend the Dissolution of this Storm, which in wisdom They ought to have done: but considering Right and Reason too abstractly, and what in Justice was due, not what in Prudence was to be expected; suffer'd Themselves implicitly to be guided by the Arch-Bishop of *York*, who was of a restless, and overweening Spirit, to such an act of indiscretion, and disadvantage to Themselves, that all their Enemies could not have brought upon Them. This Bishop, as is said, was a Man of a very Imperious and fiery Temper, Dr *Williams*, who had been Bishop of *Lincoln*, and Keeper of the Great Seal of *England* in the time of King *James*. After his removal from that Charge, He had lived Splendidly in his Diocesis, and made himself very Popular amongst those who had no reverence for the Court; of which he would frequently, and in the presence of many, speak with too much Freedom, and tell many Stories of Things and Persons upon his own former Experience; in which, being a Man of great Pride and Vanity, He did not always confine himself to a precise Veracity, and did often presume, in those unwary discourses, to mention the Person of the King with too little reverence. He did affect to be thought an Enemy to the Arch-Bishop of *Canterbury*; whose Person he seem'd exceedingly to contemn, and to be much displeased with those Ceremonies and Innovations, as they were then called, which were countenanced by the Other; and had himself published, by his own Authority, a Book against the using those Ceremonies, in which there was much good Learning, and too little Gravity for a Bishop. His Passion and his Levity, gave every day great advantages to those who did not love him, and He provoked too many, not to have those advantages made use of: So that, after several Informations against Him in the Star-Chamber, He was Sentenced, and Fined in a great sum of Money to the King, and committed Prisoner to the Tower, without the pity, or compassion of any, but those, who, out of hatred to the Government, were sorry that they were without so useful a Champion; for He appeared to be a Man of a very corrupt Nature, whose Passions could have transported Him into the most unjustifiable Actions.

HE had a faculty of making relations of things done in his own Presence, and discourses made to himself, or in his own hearing, with all the circumstances of answers, and replies, and upon Arguments of great Moment; all which, upon Examination, were still found to have nothing in them that was Real, but to be the pure effect of his own Invention.

After

*viz. The Holy Table
made by King 4. 1637.*

After he was Sentenced in the Star-Chamber, some of his Friends resorted to him, to lament, and condole with him for his Misfortune, and some of them seem'd to wonder that in an Affair of such a Nature, He had not found means to have made some Submission, and Composition, that might have prevented the Publick Hearing, which proved so much to his Prejudice in point of Reputation, as well as Profit. He answer'd them with all the formality imaginable, "that they had reason indeed to wonder at him upon the Event; but when they should know how he had govern'd himself, he believ'd they would cease to think him worthy of blame. And then related to them, "that assoon as Publication had passed in his Cause, and the Books were taken out, he had desired his Council (who were all able Men, and some of them very Eminent) in the Vacation time, and they at most leisure, to meet together, and carefully to look over, and peruse all the Evidence that was taken on both sides; and that then they would attend him such a Morning, which he appointed upon their consent, at his own House at *Westminster*: That they came at the time appointed; and being then shut up in a Room together, He asked them, "whether they had sufficiently perused all the Books, and were thoroughly inform'd of his Case? To which they all answer'd, that they had not only read them all over together, but had severally every Man by himself perused them again, and they believ'd they were all well inform'd of the whole. That he then told them he had desired this Conference with them, not only as his Council, by whose Opinion he meant to govern himself, but as his particular Friends, who, he was sure, would give him their best Advice, and perswade him to do every thing as they would do themselves, if they were in his Condition. That he was now offer'd to make his Peace at Court, by such an humble Submission to the King, as he was most inclin'd, and ready to make; and which he would make the next day after his Cause was heard, though he should be declared to be Innocent, of which he could make no doubt; but that which troubled him for the present, was, that the Infamousness of the Charge against him, which had been often Exposed, and Inlarged upon in several motions, had been so much taken notice of through the Kingdom, that it could not consist with his Honour to divert the Hearing, which would be imputed to his want of Confidence in his Innocence, since Men did not suspect his Courage; if he durst rely upon the other; but that he was Resolv'd, as he said before, the next day after he should be vindicated from those Odious Aspersions, he would cast himself at the King's feet, with all the

"Humility

"Humility, and Submission, which the most Guilty Man
 "could make profession of. It was in this point he desired
 "their Advice, to which he would, without adhering to his
 "own Inclination, entirely conform himself; and therefore
 "desired them, singly in order, to give him their Advice.
 He repeated the several, and distinct discourse every Man
 had made, in which he was so punctual, that he applied
 those Phrases, and Expressions, and Manner of Speech to
 the Several Men, which they were all taken notice of fre-
 quently to use; as many Men have some Peculiar Words in
 discourse, which they are most delighted with, or by cus-
 tom most addicted to: and in conclusion, "that they were
 "Unanimous in their Judgements, that he could not, with
 "the preservation of his Honour, and the opinion of his In-
 "tegrity, decline the Publick Hearing; where he must be
 "unquestionably declared Innocent; there being no Crime,
 "or Misdemeanour prov'd against him in such a manner, as
 "could make him liable to Censure: They all commended
 "his Resolution of Submitting to the King as soon as he had
 "made his Innocence to appear; and they all advised him to
 "pursue that Method. This, he said, had Swayed him; and
 "made him decline the other Expedient, that had been pro-
 "posed to him.

THIS Relation wrought upon Those to whom it was
 made, to raise a Prejudice in them against the Justice of the
 Cause, or the Reputation of the Council, as they were most
 inclined; whereas there was not indeed the least shadow of
 Truth in the whole Relation; except that there was such a
 Meeting, and Conference, as was mention'd, and which had
 been consented to by the Bishop upon the joint desire, and
 importunity of all the Council; who, at that Conference,
 Unanimously advised and desired him "to use all the Means
 "and Friends he could, that the Cause might not be brought
 "to Hearing; but that he should purchase his Peace at any
 "Price; for that if it were Heard, he would be Sentenced
 "very grievously, and that there were many things prov'd a-
 "gainst him, which would so much reflect upon his Honour,
 "and Reputation, and the more for being a Bishop, that all
 "his Friends would abandon him; and be for ever after
 "ashamed to appear on his behalf. Which Advice, with
 great Passion, and Reproaches upon the Several Persons for
 their Presumption, and Ignorance in matters so much above
 Them, he utterly and scornfully rejected. Nor indeed was
 it possible, at that time, for him to have made his Peace; for
 though upon some former Addresses, and Importunity on his
 behalf by some Persons of Power, and Place in the Court,
 in which the Queen her self had endeavour'd to have done
 him

him good Offices, the King was inclined to have saved him, being a Bishop, from the Infamy he must undergo by a Publick Trial; yet the Bishops Vanity had, in those conjunctures, so far transported him, that he had done all he could to have insinuated, "that the Court was asham'd of what they had done; and had prevail'd with some of his Powerful Friends "to perswade him to that Composition: upon which the King would never hear more any Person who moved on His behalf.

It had been once mention'd to Him, whether by Authority, or no, was not known, "that his Peace should be made, "if he would resign his Bishoprick, and Deanery of *Westminster* (for he had That in Commendam) "and take a "good Bishoprick in *Ireland*; which he positively refused; and said, "he had much to do to defend himself against the Arch-Bishop Here; but if he was in *Ireland*, There was a "Man (meaning the Earl of *Strafford*) who would cut off his "Head within one Month.

THIS Bishop had been for some years in the Tower, by the Sentence of the Star-Chamber, before this Parliament met; when the Lords, who were the most Active and Powerful, presently resolv'd to have him at Liberty. Some had much kindness for him; not only as a known Enemy to the Arch-Bishop of *Canterbury*; but as a Supporter of Those Opinions, and Those Persons, which were against the Church it self. And he was no sooner at Liberty, and brought into the House, but, as has been before mention'd, he defended, and seconded the Lord *Sey*, when he made an Investive with all the Malice, and Bitterness imaginable, against the Arch-Bishop then in Prison; and when he had concluded, that Bishop said; "that he had long known that noble Lord, and "had always believ'd him to be as well affected to the Church "as Himself; and so he continued to make all his Address to that Lord, and Those of the same Party. Being now in full Liberty, and in some Credit, and Reputation, he applied himself to the King; and made all possible professions of Duty to his Majesty, and Zeal to the Church; protesting "to have a perfect Detestation of Those Persons, who appeared to have no Affection or Duty towards his Majesty, "and of all evil intentions against the Religion Establish'd; "and that the Civility he had expressed towards them, was "only out of Gratitude for the good Will they had shew'd "to Him; and especially that he might the better promote "his Majesty's Service. And it being his turn shortly after, as Dean of *Westminster*, to Preach before the King; he took occasion to speak of the Factions in Religion; and mentioning the Presbyterian Discipline, he said, "it was a Govern-
ment

"ment only fit for Taylors and Shoemakers, and the like :
 "not for Noblemen, and Gentlemen : which gave great Scandal, and Offence to his great Patrons ; to whom he easily reconciled himself, by making Them as merry with some Sharp Sayings of the Court, and by performing more Substantial Offices for them.

WHEN, upon the Trial of the Earl of *Strafford*, it was resolv'd to decline the Judgement of the House of Peers, and to proceed by Bill of Attainder : and thereupon it was very unreasonably Mov'd, "that the Bishops might have no Vote in the passing that Act of Parliament ; because they pretended it was to have their hand in Blood, which was against an old Canon ; This Bishop, without communicating with any of his Brethren, very Frankly declared his opinion, "that they ought not to be present ; and offered, not only in his own Name, but for the rest of the Bishops, "to withdraw always when That business was enter'd upon : and so betray'd a Fundamental Right of the whole Order ; to the great Prejudice of the King, and to the taking away the Life of that Person, who could not otherwise have Suffer'd.

AND shortly after, when the King declared, that he neither would, nor could in Conscience, give his Royal Assent to that Act of Attainder ; when the Tumults came about the Court with Noise and Clamour for Justice ; the Lord *Say* desired the King to Confer with his Bishops for the Satisfaction of his Conscience ; and desired him to speak with That Bishop in the point. After much discourse together, and the King insisting upon many particulars, which might induce others to consent ; but were known to Himself to be False ; and therefore he could never in Conscience give his own consent to them ; the Bishop, as hath been mentioned before, amongst other Arguments, told him ; "that he must consider, that as he had a Private Capacity, and a Publick, so he had a Publick Conscience as well as a Private ; that though his Private Conscience, as a Man, would not permit him to do an Act contrary to his own Understanding, Judgement, and Conscience ; yet his Publick Conscience, as a King, which obliged him to do all things for the Good of his People, and to preserve his Kingdom in Peace for Himself and his Posterity, would not only permit him to do That, but even Oblige, and Require him. That he saw in what Commotion the People were ; that his own Life, and that of the Queen's, and the Royal Issue, might probably be Sacrificed to that Fury ; and it would be very strange, if his Conscience should prefer the Life of one single Private Person how Innocent soever, before all those other Lives, and the preservation of the Kingdom.

THIS

*+ H. B. made here in
 by Lives of J. A. Bps of
 York p. 191. tells us from
 of Lives of the 2d Chan
 Cotton v. d. 1. p. 106. of
 direct contrary to
 that He defended J. Bps
 right to vote in case
 of Blood in a very sig-
 p. 257. nificant speech.*

& see a very just & reasonable vindication of Dr. Heylin in his Reverend Life of Arch-Bishop of York p. 226. from a Philippical of Arch-Bishop p. 286. — in p. 303. where it is shown that a most unhappy life that he led after 1635 King murder HE HISTORY Book IV. Dr. Heylin after a Rejoinder who truly it may be did believe himself for towards the end of the War and when the King's Power declin'd he being then an Arch-Bishop did in Person assist the Rebels to take a Castle of the King's in which there was a Garrison and which was taken by a long Siege because he might thereby the better enjoy the Profits of his own Estate which lay thereabouts He v. by life by Dr. Heylin p. 60. 439c. UPON all these great Services He had perform'd for the Party he grew every day more Imperious and after the King thought it necessary to make him Arch-Bishop of York which as the time then was could not qualify him to do more harm and might possibly dispose and oblige him to do some good he carried himself so Insolently in the House and out of the House to all Persons that he became much more Odious universally than ever the other Arch-Bishop had been having sure more Enemies than He and few or no Friends of which the Other had abundance And the great harred of this Man's Person and Behaviour was the greatest invitation to the House of Commons so irregularly to revive that Bill to remove the Bishops and was their chief encouragement to hope that the Lords who had re- jected the Former would now Pass and consent to this Second Bill This was one of the Bishops who was most rudely treat- ed by the Rabble who gathered themselves together about the House of Peers crying out No Bishops No Bishops and his Person was assaulted and Robes torn from his back upon which in very just displeasure he return'd to his house the Deanery at Westminster and sent for all the Bishops who were then in the Town (it being within very few days of Christmas) of which there were Twelve or Thirteen and in much Passion and with his natural Indignation He pro- posed as absolutely necessary that they might Unanimously and Presently prepare a Protestation to send to the House against the Force that was used upon Them and against all the Acts which were or should be done during the time that They should by Force be kept from doing their Duties in the House And immediately having Pen and Ink ready Himself prepared a Protestation which being read to them They all approv'd depending upon His great Experience in the Rules of the House where he had sate so many Years and in some Parliaments in the place of Speaker whilst he was Keeper of the Great Seal and so presuming that He could commit no error in Matter or Form and without further Communication and Advice which both the Importance of the Subject and the Distemper of the time XVI. B p. 228. that he was so great an honourer of the English Liturgy that of his own cost he caused it to be print- ed into many of his own cost he caused it to be print- ed into many of his own cost he caused it to be print- ed into many of his own cost he caused it to be print- ed into <

...transfused if we rewarded with a Benefice as good
...of the day. He himself did signify by letter to the
...of Buckingham referring for proof of it in a manuscript
OF THE REBELLION, &c. to Cal. 351 p. 79 & 80 of the

time did require; and that it might have been consider'd as well what was Fit, as what was Right; without further delay, than what was necessary for the fair Writing, and ingrossing the Instrument they had prepar'd; They all set their hands to it. Then the Arch-Bishop went to White-Hall to the King, and presented the Protestation to him; it being directed to his Majesty with an humble desire, that He would send it to the House of Peers, since They could not present it Themselves; and that He would command, that it should be Enter'd in the Journal of the House. His Majesty casting his Eye perfunctorily upon it, and believing it had been drawn by Mature Advice, no sooner receiv'd it, than he deliver'd it to the Lord Keeper, who unfortunately happen'd to be likewise present, with his command that he should deliver it to the House as soon as it met; which was to be within two hours after. The Petition contain'd these words,

To the King's most Excellent Majesty; and the Lords, and Peers now assembled in Parliament.

"The humble Petition, and Protestation of all the Bishops, and Prelates now called by his Majesty's Writs to attend the Parliament, and present about London and West-

"THAT, whereas the Petitioners were called up by several and Respective Writs, and under great Penalties to attend in Parliament; and have a clear and indubitable Right to Vote in Bills, and other matters whatsoever Debateable in Parliament, by the ancient Customs, Laws, and Statutes of this Realm; and ought to be Protected by your Majesty, quietly to attend, and prosecute that great Service:

"THEY humbly Remonstrate, and Protest before God, Your Majesty, and the noble Lords and Peers now assembled in Parliament; that as They have an indubitable Right to Sit, and Vote in the House of Lords, so are they (if they may be protected from Force, and Violence) most ready, and willing to perform their Duties accordingly; and that they do Abominate all Actions or Opinions tending to Popery, and the maintenance thereof; as also all Propension, and Inclination to any Malignant Party, or any other Side, or Party whatsoever, to the which Their own Reasons, and Consciences shall not move them to Adhere.

"BUT, whereas They have been at several times, violently Menaced, Affronted, and Assaulted by Multitudes of People in their coming to perform their Services in that Honourable House; and lately Chafed away, and put in danger

Church at Westminster / where he was Dean / from Feb 18. 1635
...of a Great New way judged as. him kill by
Commitment to Tower in July 1637. However going to Church
...of Tower / where he was a Prisoner / to attend of Di:
...service of Church, & receive of Sacrament from July
1637 when he was committed to Havemb. 1640 when he was

"danger of their Lives, and can find no Redress, or Protection upon sundry Complaints made to both Houses in These Particulars:

"THEY likewise humbly Protest before your Majesty, and the noble House of Peers; that, saving to themselves all their Rights, and Interests of Sitting, and Voting in That House at other times; They dare not Sit or Vote in the House of Peers, until your Majesty shall further secure them from all Affronts, Indignities, and Dangers in the premises.

"LASTLY, whereas their fears are not built upon Fancies, and Conceits, but upon such Grounds and Objects, as may well terrify Men of good Resolutions, and much Constancy; They do in all Duty and Humility Protest, before your Majesty, and the Peers of That most Honourable House of Parliament, against all Laws, Orders, Votes, Resolutions and Determinations, as in themselves Null and of none Effect, which in Their Absence, since the seven and twentieth of this Instant Month of *December* 1641, have already Passed; as likewise against all Such, as shall hereafter Pass in That most Honourable House, during the time of this Their Forced and Violent Absence from the said most Honourable House; not denying but if Their Absenting Themselves were Wilful and Voluntary, That most Honourable House might proceed in all These Premises, Their Absence, or this Their Protestation notwithstanding:

"AND humbly Beseeching your most excellent Majesty to command the Clerk of the House of Peers to Enter this Their Petition, and Protestation amongst the Records:

"They will ever Pray, &c.

Signed

<i>Jo. Eborac.</i>	<i>Jo. Norwich.</i>	<i>Geo. Heref.</i>	<i>Godfr. Glouc.</i>
<i>Tho. Duresme.</i>	<i>Jo. Asaphen.</i>	<i>Rob. Oxon.</i>	<i>Jo. Peterburgh.</i>
<i>Rob. Corv. and L.</i>	<i>Guil. Ba. and Wells.</i>	<i>Ma. Ely.</i>	<i>Mor. Landaff.</i>

It was great pity, that, though the Arch-Bishop's Passion transported him, as it usually did; and his Authority imposed upon the rest, who had no affection to his Person, or reverence for his Wisdom; his Majesty did not take a little time to consider of it, before he put it out of his Power to alter it, by putting it out of his hands. For it might easily have been discern'd by Those who were well acquainted with the Humour, as well as the Temper of both Houses, that some Advantage, and ill Use would have been made of some Expressions contained in it; and that it could produce no good Effect. But the same Motive and Apprehension, that had precipitated

precipitated the Bishops to so hasty a Resolution (which was, that the House of Peers would have made that use of the Bishops being kept from the House, that they would in that time have passed the Bill it self for taking away their Votes) had its effects likewise with the King; who had the same imagination, and therefore would lose no time in the transmission of it to the House. Whereas it is more probable the Lords would never have made use of that very Season, whilst the Tumults still continued, for the Passing an Act of that importance; and the Scandal, if not Invalidity of it, would have been an Unanswerable ground for the King to have refused his Royal Assent to it.

As soon as this Protestation, which, no doubt, in the time before the House was to meet, had been communicated to Those who were prepared to speak upon it, was Delivered by the Lord Keeper with his Majesty's Command, and Read; the Governing Lords manifested a great Satisfaction in it; Some of them saying, "that there was *Digitus Dei* to bring That to pass, Which they could not Otherwise have compassed; and without ever Declaring any Judgment or Opinion of their own upon it, which they ought to have done; the matter only having relation to themselves, and concerning their own Members; they sent to desire a Conference presently with the House of Commons, upon a business of Importance; and, at the Conference, only Read, and Deliver'd the Protestation of the Bishops to them; which, the Lord Keeper told them, he had receiv'd from the King's own Hand, with a Command to Present it to the House of Commons in Peers. The House of Commons took very little time to consider of the matter; but, within half an hour, they sent up to the Lords; and, without further Examination, accused them all who had Subscribed the Protestation, of High Treason; and, by this means, they were all, the whole Twelve of them, committed to Prison; and remained in the Tower till the Bill for the putting them out of the House was Passed, which was not till many Months after. *The Protestation is delivered by the Lords to the House of Commons in a Conference. The Commons accuse the Bishops that subscribed it of High Treason, and they are committed to the Tower.*

When the Passion, Rage, and Fury of this time shall be forgotten, and Posterity shall find, amongst the Records of the Supream Court of Judicature, so many Orders, and Resolutions in vindication of the Liberty of the Subject against the Imprisoning of any man, though by the King Himself, without assigning such a Crime as the Law hath determined to be worthy of Imprisonment; and in the same Year, by this high Court, shall find Twelve Bishops, Members of This Court, committed to Prison for High Treason, for the Presenting This Protestation; Men will surely wonder at the Spirit of that Reformation: and even that Clause of Declaring all Acts

Vol. I. Part x.

Z.

Null;

+ In the Comple of Hist of Eng. Vol. 3. 2^d Edit. p. 129. Col. 1. It is said that the Bps. of Durham & Litchfield were only committed to the Tower of Black. 2^d & 3^d of other sent directly to the Tower. where there is a fresh Acc. of the Proceeding hereupon is of Bps. Protestation is in some use indicated as the Censure here pass'd upon it.

Null, which had been, or should be done in their Absence, in defence of which no man Then durst open his Mouth, will be thought good Law, and good Logick; not that the Presence of the Bishops in that time was so Essential, that no Act should Pass without Them; which had given them a Voice, upon the matter, as Negative as the King's; and Themselves, in their Instrument, Disclaimed the least Pretence to such a qualification; but because a Violence offer'd to the Freedom of any One Member, is a Violation to all the Rest: as if a Council consist of Threescore, and the door to that Council be kept by Armed men, and all Such, whose Opinions are not liked, kept out by force; no doubt the Freedom of Those Within is infringed, and all Their Acts as Void and Null, as if they were Locked in, and kept without meat till they alter'd their Judgments.

AND therefore you shall find in the Journals of the most Sober Parliaments, that, upon any eminent Breach of Their Privileges, as always upon the Commitment of any Member for any thing Said or Done in the House, sometimes upon less occasions, that House, which apprehended the Trespass, would sit mute, without Debating, or Handling any business, and then Adjourn; and this hath been practised many days together, till they had Redress or Reparation. And their Reason was, because their Body was Lame; and what was befallen One Member, threaten'd the Rest; and the consequence of one Act might extend it self to many other, which were not in view; and this made their Privileges of so tender, and nice a temper, that they were not to be Touched, or in the least degree Trenched upon; and therefore that in so apparent an Act of Violence, where it is not more clear that they were committed to Prison, than that they durst not then Sit in the House, and when it was Lawful in the House of Peers for every dissenter in the most Trivial Debate, to enter his Protestation against that sense he liked not, though he were single in his opinion; That it should not be Lawful for Those, who could not Enter it Themselves, to Present this Protestation to the King, to whom they were accountable under a Penalty for their Absence; and unlawful to that degree, that it should render them culpable of High Treason; and so forfeit their Honour, their Lives, their Fortunes, expose their Names to perpetual Infamy, and their Wives and Children to Penury, and want of bread; will be looked upon as a Determination of that Injustice, Impiety, and Horror, as could not be believ'd without those deep marks, and Prints of Confusion that followed, and attended That Resolution.

AND yet the Indiscretion of Those Bishops, swayed by
the

the Pride, and Passion of that Arch-Bishop, in applying that Remedy at a time, when they saw all Forms and Rules of Judgment impetuously declined; and the power of their Adversaries so great, that the Laws themselves submitted to their Oppression; that They should, in such a Storm, when the best Pilot was at his prayers, and the Card, and Compass lost, without the advice of one Mariner, put themselves in such a Cock-boat, and to be severed from the good Ship, gave that Scandal and Offence to all those who passionately desired to preserve their Function, that they had no compassion, or regard of their Persons, or what became of them; inasmuch as in the whole Debate in the House of Commons, there was only one Gentleman, who spoke in their behalf, and said; "he did not believe they were guilty of High Treason, but that they were Stark Mad; and therefore desired they might be sent to *Bedlam*.

THIS high, and extravagant way of proceeding brought no Prejudice to the King; and though it made their Tribunal more terrible to men who laboured under any Guilt, yet it exceedingly lessened the Reverence and Veneration, that formerly had been entertained for Parliaments: and this last Accusation, and Commitment of so many Bishops at Once, was looked upon by all Sober men with Indignation. For whatever Indiscretion might be in the thing it self, though some Expressions in the matter might be Unskilful and Unwarrantable, and the Form of presenting and transmitting it, Irregular and Unjustifiable (for all which the House of Peers might punish their Own Members, according to their discretion) yet every man knew there could be no Treason in it; and therefore the end of their Commitment, and the use all men saw would be made of it, made it the more Odious; and the Members who were absent from both Houses, which were Three parts of Four, and many of those who had been present, Abhorred the Proceedings; and attended the Houses more diligently; so that the Angry Party, who were no more treated with, to abate their Fury, would have been compelled to have given over all their Designs for the Alteration of the Government both in Church, and State; if the Volatile, and Unquiet Spirit of the Lord *Digby* had not prevail'd with the King, contrary to his Resolution, to have given Them some New Advantage; and to depart from his purpose of doing nothing without very mature Deliberation.

THOUGH *Sr William Balfour*, who is already mentioned, had, from the beginning of this Parliament, forgot all his Obligations to the King; and had made himself very Gracious to those people, whose glory it was to be thought Enemies to the Court; and, whilst the Earl of *Strafford* was his Pri-

soner, did many Offices not becoming the Trust he had from the King, and contributed much to the Jealousy, which that Party had of his Majesty; upon which there had been a long resolution to remove him from that Charge; but to do it with his own Consent, that there might be no manifestation of Displeasure; yet it was a very unseasonable Conjunction, which was taken to execute it in; and this whole Transaction was so secretly carried, that there was neither notice nor suspicion of it, till it was heard, that *Sr Thomas Lunsford* was Sworn Lieutenant of the Tower; a man, who, though of an ancient Family in *Suffex*, was of a very small, and decayed Fortune, and of no good Education; having been few years before, compelled to fly the Kingdom, to avoid the hand of Justice for some riotous Misdemeanour; by reason whereof, he spent some time in the service of the King of *France*, where he got the reputation of a Man of Courage, and a good Officer of Foot; and in the beginning of the Troubles here had some Command in the King's Army; but so much inferior to many others, and was so little known, except upon the disadvantage of an ill Character, that, in the most Dutiful time, the Promotion would have appeared very ungrateful. He was utterly a Stranger to the King, and therefore it was quickly understood to proceed from the Single election of the Lord *Digby*, to whom he was likewise very little known; who had in truth designed that Office to his Brother *Sr Lewis Dives*, against whom there could have been no exception, but his Relation: but He being not at that time in Town, and the other having some secret Reason to fill that place in the Instant, with a man who might be trusted; he suddenly resolved upon this Gentleman, as one who would be Faithful to him for the obligation, and execute any thing he should desire, or direct; which was a reason he might easily have foreseen would provoke more powerful Opposition; which error, as is said before, was repaired by the sudden change, and putting in *Sr John Byron*; though it gave little satisfaction, and the less, by reason of another more inconvenient Action, which changed the whole Face of Affairs, and caused This to be more reflected upon.

The Attorney General Herbert accuſes in the Houſe of Lords the Lord Kimbolton, and five Members of the Houſe of Commons of High Treason.

IN the Afternoon of a day when the two Houses sat, *Herbert* the King's Attorney informed the House of Peers, that he had somewhat to say to them from the King; and thereupon, having a Paper in his hand, he said, that the King commanded him to accuse the Lord *Kimbolton*, a Member of that House, and five Gentlemen, who were all Members of the House of Commons, of High Treason; and that his Majesty had himself delivered him in Writing several Articles, upon which he accused them; and he read in a Paper these ensuing Articles,

Articles, by which the Lord Kimbolton, Denzil Hollis, Sr Arthur Haslerig, Mr Pym, Mr Hambden, and Mr Strode, stood Accused of High Treason, for Conspiring against the King, and the Parliament.

Articles of High Treason, and other Misdemeanours, against The Articles the Lord Kimbolton, Mr Pym, John Hambden, Denzil Hollis, Sr Arthur Haslerig, and William Strode Members of the House of Commons.

1. "THAT They have Traiterously endeavour'd to Subvert the Fundamental Laws, and Government of this Kingdom; and deprive the King of his Regal Power; and to place on his Subjects an Arbitrary, and Tyrannical Power.
2. "THAT They have endeavour'd, by many foul Aspersions upon his Majesty, and his Government, to alienate the Affections of his People, and to make his Majesty odious to Them.
3. "THAT They have endeavour'd to draw his Majesty's late Army to disobedience to his Majesty's Command, and to Side with Them in their Traiterous design.
4. "THAT They have Traiterously invaded, and encouraged a Forreign Power to invade his Majesty's Kingdom of England.
5. "THAT They have Traiterously endeavour'd to Subvert the very Rights and Beings of Parliament.
6. "THAT, for the compleating of their Traiterous designs, They have endeavour'd, as far as in Them lay, by Force and Terror to compel the Parliament to joyn with them in their Traiterous designs, and, to that end, have Actually raised, and countenanced Tumults against the King, and Parliament.
7. "THAT They have Traiterously conspired to Levy, and Actually have Levied War against the King.

THE House of Peers was somewhat appall'd at this Alarm; but took time to consider of it, till the next day, that they might see how their Masters the Commons would behave themselves; the Lord Kimbolton being present in the House, and making great professions of his Innocence; and no Lord being so hardy to press for his Commitment on the behalf of the King.

AT the same time, a Serjeant at Armes demanded to be heard at the House of Commons from the King; and being sent for to the Bar, demanded the Persons of five of their Members to be deliver'd to him in his Majesty's Name, his Majesty having accused them of High Treason. But the Com-

A Serjeant as Armes demands the five Members in the House of Commons.

mons were not much surprized with the Accident; for besides that they quickly knew what had passed with the Lords, some Servants of the King, by especial Warrant, had visited the Lodgings of some of the Accused Members, and Sealed up their Studies and Trunks; upon information whereof, before that Serjeant came to the House, or Publick notice was taken of the Accusation, an Order was made by the Commons; "That if any Person whatsoever should come to the Lodgings of any Member of that House, and there offer to Seal the Doors, Trunks, or Papers of such Members, or to Seize upon their Persons; that then such Member should require the aid of the next Constable, to keep such Persons in safe Custody, till the House should give further Order: that if any Person whatsoever should offer to Arrest or Detain any Member of that House, without first acquainting that House therewith, and receiving further Order from thence; it should be lawful for such Member to stand upon his Guard, and make Resistance, and for any Person to assist him, according to the Protestation taken to defend the Privileges of Parliament. And so, when the Serjeant had deliver'd his Message, he was no more called in; but a Message sent to the King, "that the Members should be forth coming as soon as a Legal Charge should be preferred against them; and so the House Adjourned till the next day, every one of the Accused Persons taking a Copy of that Order, which was made for their Security.

The King goes to the House of Commons to demand them.

THE next day in the Afternoon, the King, attended only by his own usual Guard, and some few Gentlemen, who put themselves into their company in the way, came to the House of Commons; and commanding all his Attendants to wait at the Door, and give offence to no Man; Himself, with his Nephew, the Prince Elector, went into the House, to the great amazement of all: and the Speaker leaving the Chair, the King went into it; and told the House, "he was sorry for that occasion of coming to them; that yesterday he had sent his Serjeant at Armes to Apprehend some, that, by his command, were Accused of High Treason; whereunto he expected Obedience, but instead thereof he had receiv'd a Message. He declared to them, that no King of *England* had been ever, or should be more careful to maintain their Privileges, than He would be; but that in Cases of Treason no Man had privilege; and therefore he came to see if any of those Persons, whom he had Accused, were There; for he was resolv'd to have them, wheresoever he should find them: and looking then about, and asking the Speaker whether they were in the House, and he making no answer, "he said, he perceiv'd the *Birds were all Flown*, but expected "they

“they should be sent to him, as soon as they return’d thither ;
 “and assured them in the Word of a King, that he never intended any Force, but would proceed against them in a fair,
 “and legal way, and so return’d to *White-Hall*.

THE Accused Persons, upon information and intelligence what his Majesty intended to do, how secretly soever it was carried at Court, having withdrawn from the House about half an hour before the King came thither; the House in great disorder, as soon as the King was gone, Adjourned till the next day in the Afternoon; the Lords being in so great apprehension upon notice of the King’s being at the House of Commons, that the Earl of *Essex* expressed a tender sense he had of the inconveniences which were like to ensue those Divisions; and moved, “that the House of Peers, as a work very proper for them, would interpose between the King and his People; and Mediate to his Majesty on the behalf of the Persons Accused; for which he was reprehended by his Friends, and afterwards Laughed at himself, when he found how much a stronger Defence they had, than the best Mediation could prove on Their behalf.

How secretly soever this Affair was carried, it was evident that the King’s Resolution of coming to the House had been discovered, by the Members withdrawing themselves, and by a Composedness, which appeared in the Countenances of many, who used to be disturbed at less Surprising Occurrences; and though the purpose of accusing the Members was only consulted between the King and the Lord *Digby*; yet it was generally believ’d, that the King’s purpose of going to the House, was communicated to *William Murray* of the Bed-Chamber, with whom the Lord *Digby* had great Friendship; and that it was discover’d by him. And that Lord, who had promised the King to move the House for the Commitment of the Lord *Kimbolton*, as soon as the Attorney General should have accused him (which if he had done would probably have raised a very hot Dispute in the House, where many would have joyn’d with him) never spoke the least word; but, on the contrary, seem’d the most surprized, and perplexed with the Attorney’s Impeachment; and sitting at that time next the Lord *Kimbolton*, with whom he pretended to live with much Friendship, he whisper’d him in the Ear with some commotion (as he had a rare talent in Dissimulation) “That the King was very Mischievously advised; and that it should go very hard, but he would know, whence that Counsel proceeded; in order to which, and to prevent further Mischief, he would go immediately to his Majesty; and so went out of the House.

WHEREAS He was the only Person who gave the Coun-

fel, named the Persons, and particularly the Lord *Kimbolton* (against whom less could be said, than against many others, and who was more generally beloved) and undertook to prove that the said Lord *Kimbolton* told the Rabble, when they were about the Parliament House, that they should go to *White-Hall*. When he found the ill Success of the Impeachment in both Houses, and how unsatisfied all were with the proceeding, he advised the King the next Morning to go to the *Guild-Hall*, and to inform the Mayor and Aldermen of the Grounds of his Proceedings; which will be mention'd anon. And that People might not believe, that there was any dejection of mind, or sorrow for what was done; the same Night, the same Council caused a Proclamation to be prepared for the stopping the Ports; that the Accused Persons might not escape out of the Kingdom; and to forbid all Persons to receive, and harbour them; when it was well known, that they were all together in a house in the City, without any fear of their Security. And all this was done without the least communication with any body, but the Lord *Digby*, who advised it; and it is very true, was so willing to take the utmost hazard upon himself; that he did offer the King, when he knew in what house they were together, with a select company of Gentlemen, who would accompany him, whereof *Sr Thomas Lunsford* was one, to Seize upon them, and bring them away Alive, or leave them Dead in the place: but the King liked not such Enterprizes.

*The Persons
accused re-
move into
the City.*

THAT Night, the Persons Accused remov'd themselves into their Strong-Hold, the City: not that they durst not venture themselves at their old Lodgings, for no Man would have presumed to trouble them, but that the City might see, that they relied upon that Place for a Sanctuary of their Privileges against Violence and Oppression; and so might put on an early Concernment for them. And they were not disappointed; for in spite of all the Lord Mayor could do to compose their Distempers (who, like a very Wise and Stout Magistrate, bestirred himself) the City was that whole Night in Armes; some People, design'd to that purpose, running from one Gate to another, and crying out, "that the *Cavaliers*" were coming to fire the City; and some saying, "that the King himself was in the head of Them.

*The King
goes into the
City, and
speaks to the
Citizens.*

THE next Morning, the King being inform'd of much that had passed that Night, according to the Advice he had receiv'd, sent to the Lord Mayor to call a Common Council immediately; and, about ten of the Clock, himself, attended only by three or four Lords, went to the *Guild-Hall*; and in the Room, where the People were assembled, told them, "He was very sorry to hear of the Apprehensions, they had
"entertain'd

“entertain’d of Danger; that He was come to Them, to
 “shew how much he relied upon their Affections for his
 “Security, and Guard, having brought no other with him;
 “that he had accused certain Men of High Treason, against
 “whom he would proceed in a Legal way; and therefore he
 “presum’d they would not shelter them in the City. And
 using many other very Gracious Expressions of his value for
 them, and telling one of the Sheriffs (who was of the Two
 thought less inclin’d to his Service) “that he would Dine
 “with him, he departed without that Applause and Cheer-
 fulness, which he might have expected from the extraordinary
 Grace he vouchsafed to them. And in his passage through
 the City, the Rude People flocked together, and cry’d out,
Privilege of Parliament, Privilege of Parliament; some of them
 pressing very near his own Coach, and amongst the rest one
 calling out with a very loud Voice, *To your Trust O Israel*.
 However the King, though much Mortified, continued his
 Resolution, taking little notice of the Distempers; and, hav-
 ing Dined at the Sheriff’s, return’d in the Afternoon to *White-
 Hall*; and published, the next day, a Proclamation, for the
 Apprehension of all Those, whom he had accused of High
 Treason, forbidding any person to Harbour them; the Articles
 of their Charge being likewise Printed, and dispersed.

WHEN the House of Commons next met, none of the
 Accused Members appearing, They had Friends enough, who
 were well instructed to aggravate the late proceedings, and
 to put the House into a Thousand Jealousies, and Apprehen-
 sions, and every slight Circumstance carried weight enough in
 it to disturb their Minds. They took very little notice of the
 Accusing the Members; but the King’s coming to the House,
 which had been Never known before, and Declaring, “that
 “he would take Them, wherever he Found Them, was an
 “Evidence, that he meant Himself to have brought a Force
 “into the House to Apprehend them, if they had been there;
 and was look’d upon as the highest Breach of Privilege, that
 could possibly be imagin’d. They who spoke most Passiona-
 rely, and probably meant as Maliciously, behaved themselves
 with Modesty, and seem’d only concern’d in what concern’d
 them All; and concluded, after many Lamentations, “that
 “they did not think themselves Safe in that House, till the
 “Minds of Men were better Composed; that the City was
 “full of Apprehensions, and was very Zealous for their Se-
 “curity; and therefore wish’d, that they might Adjourn the
 “Parliament to meet in some place in the City. But that
 was found not Practicable; since it was not in their own
 Power to do it, without the Consent of the Peers, and the
 Concurrence of the King; who were Both like rather to
 choose

*The House of
Commons
adjourning
themselves
for some
days, name a
Committee
to sit in the
City.*

choose a place more distant from the City. So, with more Reason, in the end they concluded, "that the House should
"Adjourn it self for two or three days, and name a Com-
"mittee, who should sit both Morning and Afternoon in the
"City; and All who came to have Voices: and *Mercant-
Taylors-Hall* was appointed for the place of their meeting;
They who Served for *London*, undertaking, "that it should
"be ready against the next Morning: no Man opposing or
contradicting any thing that was said; They, who formerly
used to appear for all the Rights and Authority which be-
longed to the King, not knowing what to say, between Grief
and Anger, that the Violent Party had by these late unskilful
actions of the Court, gotten great Advantage, and recover'd
new Spirits: and the Three Persons before named, without
whose Privy the King had promised that he would enter
upon no Counsel, were so much displeased and dejected, that
they were inclined, never more to take upon them the Care
of any thing to be transacted in the House; finding already,
that they could not avoid being looked upon as the Authors
of those Counsels, to which they were so absolute Strangers,
and which they so perfectly Detested.

*The Lords
likewise
Adjourning
for the same
days.*

AND in truth, They had then withdrawn themselves from
appearing often in the House, but upon the abstracted con-
sideration of their Duty and Conscience, and of the present
ill condition the King was in; who likewise felt within him-
self the Trouble and Agony, which usually attends Generous
and Magnanimous Minds upon their having committed Er-
rors, which expose them to Censure, and to Damage. In
fine, the House of Commons Adjourn'd for some days, to
consult with their Friends in the City; and the House of
Lords held so good Correspondence with them, that they
likewise Adjourn'd to the same Days they knew, by some In-
telligence, the Commons intended to meet again. But the
Lords made no Committee to sit in the City.

*The Trans-
actions of the
Committee
in the City.*

WHEN the Committee met the next Morning at *Mer-
cant-Taylors-Hall*, where All who came were to have Voices,
and whither All did come at first, out of Curiosity to observe
what Method they meant to proceed in, rather than Expecta-
tion that they should be able to do any Good there; they
found a Guard ready to attend them, of Substantial Citizens
in Arms, and a Committee from the Common Council, to bid
them Welcome into the City; and to Assure them, "that the
"City would take Care, that They, and all their Members
"should be Secured from Violence; and to that purpose had
"appointed That Guard to attend them, which should be al-
"ways Reliev'd twice a day, if they resolv'd to sit Morning
"and Afternoon: and acquainted them further, "that the
"Common

“Common Council, in contemplation that they might stand
 “in want of any thing, had likewise appointed a Committee
 “of so many Aldermen, and such a number of the Common
 “Council, which should meet always at a place named, at
 “those Hours, which that Committee should appoint to meet
 “at; to the end, that if any thing were to be required of the
 “City, they might still know their Pleasure, and take Care
 “that it should Obeyed. Thus they had provided for such
 a mutual Communication and Confederacy, that they might
 be sure always to be of one Mind, and the One to help the
 Other in the prosecution of those Designs and Expedients,
 which they should find necessary to their Common end : the
 Committee of the City consisting of the most Eminent Persons,
 Aldermen and others, for their disaffection to the Government
 of Church and State.

AT their first Sitting, the Committee begun with the stating the Manner of the King's coming to the House, and all he did there; the several Members mentioning all that they would take upon them to remember of his Majesty's Doing or Speaking, both as he came to the House, and after he was there; some of them being walking in *Westminster-Hall* when the King walked through, and so came to the House with him, or near him; others reporting, what they heard some of the Great Men, who attended his Majesty, say, as they passed by; every idle word having it's Commentary; and the Persons, whoever were named, being appointed to attend, they having Power given them to send for all Persons, and to Examine them touching that Affair. Nor had any Man the Courage to refuse to Obey their Summons; so that all those of the King's Servants, who were sent for, appeared punctually at the hour that was assign'd them; and were Examined upon all Questions, which any one of the Committee would propose to them, whereof many were very Impertinent, and of little respect to the King.

IT was very well known where the Accused Persons were, all together in one House in *Coleman-Street*, near the place where the Committee Sate; and whither Persons trusted passed to and fro to communicate, and receive Directions; but it was not Seasonable for them yet to appear in Publick, and to come and Sit with the Committee, or to own the believing, that they thought themselves safe from the Violence, and the Assaults of the Court; the Power whereof they exceedingly condemn'd, whilst they seem'd to apprehend it; nor was it yet time to Model in what manner their Friends in the City, and the Country, should appear concern'd for them; in preparing whereof no time was lost.

AGAINST the day the House was to meet, the first Adjournment

jourment not being for above two or three days, the Committee had prepared Matter enough for a Report; a Relation of all they had discover'd upon their Examinations, and such Votes, as they thought fit to offer upon the breach of their Privilege; that they might thereby discover the Affections of the House, of which they could not yet take any measure, seeing there had been no Debate since those Accidents, which could discover the general Temper; which they well enough knew, was not before to their Advantage. In the mean time, they used all the ways they could to Asperse those, who used to Oppose them, as the Contrivers of the late Proceedings; and were willing they should know it; which they imagined, would restrain them from taking the same Liberty they had used to do.

*Votes of the
House of
Commons up-
on their first
meeting a-
gain.*

AND so at their meeting in the House, upon the Report of the Committee, they declared, "That the King's coming to the House, and Demanding the Persons of divers Members thereof to be deliver'd unto Him, was a high Breach of the Rights and Privileges of Parliament; and inconsistent with the Liberty and Freedom thereof; and therefore that they could not with the Safety of their own Persons, or the Indemnity of the Rights and Privileges of Parliament, Sit there any longer, without a full Vindication of so high a Breach, and a sufficient Guard, wherein they might Confide; and for that Reason, did Order, that their House should be again Adjourn'd for four days; and that the Committee should meet in the same place, to Consider and Resolve of all things, that might concern the Good and Safety of the City, and the Kingdom; and particularly, How their Privileges might be Vindicated, and their Persons Secured; and should have Power to Consult and Advise with any Person, or Persons, touching the Premises. And, this Order and Declaration being made, they Adjourned: the last Clause being intended to bring their Members to them.

AT the meeting of the House, the Committee had inform'd them, First of the great Civilities, they had receiv'd from the City in all the particulars, that they might have Order to return the Thanks of the Whole House, which they easily obtain'd; and, at their return, they took more Examinations than they had formerly; by which they made a fuller Relation of the King's coming to the House, and his Carriage and Words there. And because it was visible to all Men, that the King was so far from bringing any Force with Him, which they desired it should be believ'd he had brought, that he had only his Guard of Halberdiers, and fewer of them, than used to go with Him on any ordinary Motion;

Motion; and that fewer of his Gentlemen Servants were Then with him, than usually attended him when he went but to walk in the Park; and had only their Little Swords; they were very punctual in mentioning any Light or Loose Words, which had fallen from any Man, that it might be believ'd, that there was more in the Matter. As they carefully inserted in their Relation, that one of the Waiters, as he walked very near his Majesty through the Hall, said, "he had a good Pistol in his Pocket; and that Another, as they were walking up the Stairs towards the House of Commons, called out, *Fall on*; from which they would have it believ'd, that there had been very Bloody intentions.

THEN They propos'd some Votes to be offer'd to the House, in which they Voted "the Relation, which was made, "to be true; and thereupon, that the King's Coming to the "House was the highest Breach of the Privilege of Parliament, that could be made; and that the Arresting, or endeavouring to Arrest, any Member of Parliament was a high "Breach of their Privilege; and that the Person, who was so "Arrested, might lawfully Rescue, and Redeem himself; and "that all, who were present, and saw the Privilege of Parliament so Violated, might, and ought to Assist the injured "Person in his Defence, and to procure his Liberty with "Force. And these Votes the House Confirmed, when they were Reported. Though, in the Debate, it was told them, "That they must take heed, that they did not out of Tenderness of their Privilege, which was, and must be very precious to every Man, extend it further, than the Law would "suffer it to be extended: that the House had always been "very severe upon the Breach of any of their Privileges, and "in the Vindicating those Members, who were injured; but "that the disposing men to make Themselves Judges, and to "Rescue themselves or others, might be of evil Consequence, "and produce ill Effects; at least if it should fall out to be, "that the Persons were Arrested for Treason, or Felony, or "Breach of the Peace; in either of which Cases, there could "be no Privilege of Parliament. This, though a known Truth to any, who knew any thing of the Law, was receiv'd with Noise and Clamour, and with wonderful evidence of Dislike, and some faint Contradictions, "that no Such thing "ought to be done, whilst a Parliament was Sitting: and then, falling upon the late Action of the King, and the Merit of those Persons, and without much Contradiction, which was found to be ungrateful, the House Confirm'd all that the Committee had Voted; and then Adjourn'd again for some days, and Order'd the Committee to meet again in the City; which they did Morning and Afternoon; and prepar'd other
 Votes

Votes of a brighter Allay, and more in the face of the King, and the Law, every day adding to the Fury and Fierceness of the precedent. The House met and Sate, only to Confirm the Votes which were Pass'd by the Committee, and to prosecute such Matters, as were by Concert brought to them, by Petition from the City; which was ready to Advance any thing, they were directed; and so whilst the Members yet kept themselves Conceal'd, many particulars of great Importance were transacted in those short Sitzings of the House.

THE King about this time, having found the Inconvenience and Mischief to himself of having no Servant of Interest and Reputation, and who took his business to Heart, in the House of Commons, had made the Lord Falkland and Sr John Colepepper, both Members of that House, and of unblemished Reputations and confessed Abilities, of his Privy-Council; and the one, the Lord Falkland, his Principal Secretary of State, and Sr John Colepepper, Chancellor of the Exchequer; as is said before. And so, having now gotten two Counsellors about him, who durst Trust one another, and who were Both fit to be Trusted by Him, which he had been without above a Year past, to His, and the Kingdom's irreparable Disadvantage; He thought fit to Publish a Declaration to all his Subjects, in Answer to the Remonstrance, he had lately receiv'd from the House of Commons, and was dispersed throughout the Kingdom. In which, without the least Sharpness or return of the Language he had receiv'd; he took notice "of the Fears, and Jealousies (for those were the New words, which served to Justify all Indispositions, and to excuse all Disorders) "which made Impression in the Minds of his People, with reference to their Religion, their Liberty, or their Civil Interests.

*The King's
Answer to
the House of
Commons
former Re-
monstrance.*

in 1689

p. 312 &c.

"As to their Religion, He observ'd the Fears to be of Two sorts; either as Ours here Established might be invaded by the Roman Party; or as it was accompanied with some Ceremonies, at which some tender Consciences, or Really were, or Pretended to be, Scandalized. For the first, as there might be any suspicion of Favour or Inclination to the Papists, he said, he was willing to Declare to all the World, that, as he had been brought up from his Childhood in, and practis'd that Religion, which was Established in the Church of *England*; so he believ'd he could, having given a good part of his time and pains to the Examination of the Grounds of it, as it Differ'd from that of *Rome*, maintain the same by Unanswerable Reasons; and hoped he should be ready to Seal it with the effusion of his Blood, if it should please God to call him to that Sacrifice: and that nothing could be so acceptable to him, as any Propo-

"sition,

“fiction, which might contribute to the Advancement of it
 “Here, or the Propagation of it Abroad; this being the
 “greatest means to draw down a Blessing from God upon
 “himself, and this Nation; and if this Profession of his was
 “wanting to his People, he thought himself extremely Un-
 “fortunate, for that his constant Practice in his own Per-
 “son had always been, without Ostentation, as much to evi-
 “dence his Care and Duty therein, as he could possibly tell
 “how to express.

“As for matters of Ceremony, He said, he would, in
 “Tenderness to any number of his loving Subjects, be willing
 “to comply with the advice of his Parliament, that some Law
 “should be made for the exemption of tender Consciences
 “from punishment or prosecution for neglecting such Cere-
 “monies; and in such Cases, which by the judgment of most
 “men are held to be matters Indifferent, and of some to
 “be absolutely Unlawful. Provided, that that Case should
 “be attempted, and pursued with that Modesty, Temper,
 “and Submission, that in the mean time the Peace, and
 “Quiet of the Kingdom should not be disturbed, the Decen-
 “cy, and Comeliness of God’s Service not discountenanced,
 “nor the Pious, Sober, and Devout actions of those Reve-
 “rend persons, who were the first Labourers in the blessed
 “Reformation, or of that time, be Scandalized, and Defamed.
 “For, he said, he could not without Grief of Heart, and
 “without some Tax upon himself and his Ministers for the
 “not executing of the Laws, look upon the bold Licence of
 “some men in Printing of Pamphlets, in Preaching and
 “Printing of Sermons so full of bitterness and malice against
 “the present Government, against the Laws Established; so
 “full of Sedition against his own Person, and the Peace of
 “the Kingdom; that he was many times amazed to consider
 “by what Eyes those things were Seen, and by what Ears
 “they were Heard.

“CONCERNING the Civil Liberties and Interests of the
 “Subjects, He said, he should need say the less, having ere-
 “cted so many lasting Monuments of his Princely and Fa-
 “therly care of his People, in those excellent Laws passed by
 “him this Parliament; which, with very much Content to
 “himself, he said, he conceived to be so large and Ample,
 “that very many Sober men had little left to wish for of that
 “Kind. He told them, he very well understood the Rights
 “and particular Advantages, he had Departed from in many
 “of the Acts he had passed; and therefore he had reason to
 “hope, as he had taken all Occasions to render Their condi-
 “tion most Comfortable and Happy; so They would, in grate-
 “ful and dutiful return, be always ready with equal Tender-
 “ness

"nefs and Alacrity to advance His Rights, and prefer His
 "Honour, upon which their own Security and Subſiſtence ſo
 "much depended; and no particular ſhould be preſented un-
 "to him for the Compleating, and Eſtabliſhing that Security,
 "to the which he would not with the ſame readineſs contri-
 "bute his beſt Aſſiſtance. He ſaid, if thoſe Reſolutions were
 "the effects of his preſent Counſels, and he took God to
 "Witness that they were ſuch, and that his Subjects might
 "confidently expect the Benefit of them from him, certainly
 "no ill Deſign upon the Publick could accompany ſuch Re-
 "ſolutions; neither could there be great cauſe of ſuſpicion
 "of any Perſons preferred by him to degrees of Honour, and
 "places of Truſt and Employment, ſince this Parliament:
 "and therefore, that amongſt his Miſfortunes he reckoned it
 "not the Leſt, that, having not retain'd in his Service, nor
 "Protected any One perſon, againſt whom the Parliament
 "had excepted, during the whole Sitting of it, and having
 "in all that time ſcarce vouchſafed to any Man an inſtance of
 "his Favour or Grace, but to Such who were under ſome
 "eminent Character of Eſtimation amongſt the People, there
 "ſhould ſo ſoon be a miſ-underſtanding or jealousy of their
 "Fidelity and Uprightneſs; eſpecially in a time, when he
 "took all occaſions to Declare, that he conceiv'd himſelf
 "capable of being ſerved only by Honeſt Men, and in Ho-
 "neſt Ways.

HOWEVER, if He had been miſtaken in ſuch his Ele-
 "ction, the Particular ſhould no ſooner be diſcovered to him,
 "either by His own Obſervation, or other certain Informa-
 "tion, than he would leave them to Publick Juſtice, under
 "the marks of his Diſpleaſure. If notwithstanding this, any
 "Malignant Party ſhould take heart, and be willing to Sacri-
 "fice the Peace and Happineſs of their Country to their own
 "Sinifter Ends and Ambitions, under what pretence of Reli-
 "gion and Conſcience ſoever; if they ſhould endeavour to
 "leſſen his Reputation and Intereſt; and to weaken his Law-
 "ful Power and Authority with his good Subjects; if they
 "ſhould go about, by diſcountenancing the preſent Laws, to
 "looſen the bonds of Government, that all Diſorder and
 "Confuſion might break in, He doubted not, but God in His
 "good Time would diſcover Them; and the Wiſdom, and
 "Courage of his High Court of Parliament would joyn with
 "him in their Suppreſſion, and Punishment.

"H A V I N G ſaid all He could, to expreſs the clearneſs and
 "uprightneſs of his Intentions, and done all he could to ma-
 "niſeſt thoſe Intentions, He ſaid, he could not but confi-
 "dently believe, all his good Subjects would acknowledge
 "His part to be fully perform'd, both in Deeds paſt, and pre-
 "ſent.

"sent Resolutions to Do, what with Justice might be required
 "of him; and that their Quiet and Prosperity now depended
 "wholly on Themselves, and was in Their own Power, by
 "yielding all Obedience and due Reverence to the Law;
 "which is the Inheritance of every Subject, and the only Se-
 "curity he can have for his Life, Liberty, and Estate; and the
 "which being neglected or diseestim'd, under what Specious
 "shews soever, a great measure of Infelicity, if not an irre-
 "parable Confusion, must without doubt fall upon them.
 "And he doubted not, it would be the most acceptable De-
 "claration a King could make to his Subjects, that he was
 "not only resolv'd to keep the Laws himself, but to maintain
 "them against what Opposition soever, though with the ha-
 "zard of his Being. He hoped the Loyalty, and good Af-
 "fections of all his Subjects, would Concur with him in the
 "constant preserving a good Understanding between Him
 "and his People; and that their own Interest, and Com-
 "passion of the lamentable Condition of the poor Protestants
 "in *Ireland*, would invite them to a fair Intelligence and
 "Unity amongst Themselves; that so they might, with one
 "heart, intend the relieving, and recovering of that unhappy
 "Kingdom; where those barbarous Rebels practis'd such in-
 "human and unheard of Outrages upon the miserable Peo-
 "ple, that no Christian Ear could hear without horreur, or
 "Story parallel. He concluded with conjuring all his good
 "Subjects, of what Degree or Quality soever, by all the bonds
 "of Love, Duty, and Obedience, that are precious to Good
 "Men, to joyn with him for the recovery of the Peace of
 "That Kingdom, and the preservation of the Peace of This;
 "to remove all the Doubts and Fears, which might interrupt
 "their Affection to Him, and all their Jealousies and Appre-
 "hensions, which might lessen their Charity to each Other;
 "and then, He said, if the Sins of the Nation had not pre-
 "pared an inevitable Judgement for all, God would make
 "him a great and glorious King over a Free and Happy
 "People.

THOUGH this Declaration had afterwards a very good in-
 fluence upon the People, to his Majesty's advantage; yet for
 the present it gave no allay to their Distempers. Their Se-
 ditious Ministers were dispatched to inflame the Neighbour
 Countries, and all possible Art was used to inflame the City of
London; which prevail'd so far, that notwithstanding all the
 opposition the Lord Mayor of *London*, the Recorder, and the
 gravest and most substantial Aldermen could make, the Ma-
 jor part of the Common Council prevail'd to send a Petition
 to the King, in the name of the Mayor, Aldermen, and Com-
 mon Council of the City of *London*; which was the next

The City
Petitions the
King.

Sunday Morning deliver'd to him, with great Solemnity, at *White-Hall* by a number chosen of that Body; Representing
 "the great Dangers, Fears, and Distractions, the City then
 "was in, by reason of the prevailing progress of the Bloody
 "Rebels of *Ireland*; the putting out of persons of Honour
 "and Trust from being Constable and Lieutenant of the
 "Tower, especially in those times, and the preparations there
 "lately made; the fortifying *White-Hall* with Men, and Am-
 "munition in an unusual manner; some of which Men abused,
 "and wounded divers Citizens passing by; the calling in di-
 "vers Canoneers, and other Assistance into the Tower; the
 "discovery of divers Fire-works in the hands of Papists, and
 "the mis-understanding between his Majesty, and the Parlia-
 "ment: That their Fears were exceedingly increased by his
 "Majesty's late going into the House of Commons, attended
 "by a multitude of Armed Men, for the apprehending of
 "divers Members of that House, to the endangering his
 "own Person, and the Persons, and Privileges of that Ho-
 "nourable Assembly. That the effects of those fears tended
 "not only to the overthrow of the whole Trade of that City
 "and Kingdom, which they felt already in a deep measure,
 "but threaten'd the utter ruin of the Protestant Religion,
 "and the Lives and Liberties of all his Subjects; and there-
 "fore they pray'd his Majesty, that by the Advice of his
 "great Council in Parliament, the Protestants in *Ireland*
 "might be speedily reliev'd; the Tower put into the hands
 "of Persons of Trust; that by removal of doubtful and un-
 "known Persons from about *White-Hall*, and *Westminster*, a
 "known and approved Guard might be appointed for the
 "Safety of his Majesty, and the Parliament; and that the
 "Lord *Kimbolton*, and the Five Members of the House of
 "Commons lately accused, might not be restrain'd of Liberty,
 "or otherwise proceeded against, than according to the Pri-
 "vileges of Parliament.

THE King very well understood from what Spirit this Pe-
 tition proceeded, and the inconvenience of giving so much
 countenance to it, as the very receiving it was; if he could
 have avoided it. But the Torrent was too strong to be re-
 sisted by any direct strength he could raise against it; and
 therefore he resolv'd to endeavour to divide and reduce them,
 by the most gracious descending to their pretended Fears,
 and Apprehensions; and the same day, gave them this Answer;
 "That for the sad business of *Ireland*, he could not possibly
 "express a greater sense than he had done, there being no-
 "thing left on His part Unoffer'd, or Undone. For the
 "Tower, he wonder'd that having remov'd a Servant of
 "Trust from that Charge, only to satisfy the Fears of the
 "City,

His Majesty's
Answer.

"City, and put in another of unquestionable Reputation and known ability, the Petitioners should still entertain those Fears; and whatsoever preparation of strength was there made, was with as great an eye of Safety and advantage to the City, as to his own Person, and should be equally employ- ed to both;

"For the fortifying *White-Hall* with men, and Ammunition in an unusual way, He doubted not, that they had observed the strange provocation he had received to entertain that Guard; that, by the disorderly and tumultuous confuz of People at *Westminster* and *White-Hall*, his great Council was not only disquieted, but his own Royal Person in Danger; most Seditious language being uttered even under his own windows. And if any Citizens had been wounded, or ill treated, he was confidently assured, that it had happened by their own evil and corrupt Demerits. For the Fire-works in the hands of a Papist, he knew nothing, nor understood Whom, or What They meant.

"For his going to the House of Commons, when his Attendants were no other wise armed than as Gentlemen with Swords, He was persuaded, that if they knew the clear grounds, upon which Those Persons stood accused of High Treason, and what would be proved against them, with which they should in due time be acquainted, and considered the Gentle way he took for their Apprehension, (which he preferred before any course of Violence, though that way had been very Justifiable; since it was notoriously known that no Privilege of Parliament can extend to Treason, Felony, or breach of Peace) they would believe his going thither was an Act of grace and favour to that House, and the most peaceable way of having that necessary Service performed; there being such Orders made for the resistance of what Authority soever for their Apprehension: and for the proceedings against those persons, he ever intended the same should be with all justice and favour, according to the Laws and Statutes of the Realm; to which all Innocent men would cheerfully submit. And this extraordinary way of satisfying a Petition of so unusual a Nature, he said, he was confident would be thought the greatest instance, could be given, of his clear intentions to his Subjects; and of the singular esteem he had of the good affections of that City, which he hoped in Gratitude would never be wanting to his just commands and service.

It was no wonder, that they, who at Such a time could be corrupted to frame, and deliver Such a Petition, would not be reformed by such an Answer. Neither will it be here unreasonable, to spend a little time in considering how the affections

affections and tempers of so rich and opulent a City, which could naturally expect to prosper only by Peace, and agreement; were wrought upon, and transported, to that degree, as to be the chief Instruments of its own, and the Kingdom's destruction.

*The standard
temper of the
City of Lon-
don at that
time.*

THE City of London, as the Metropolis of England, by its Situation the most capable of trade; and by the most useful residence of the Court, and the first Station of the Courts of Justice for the publick administration thereof throughout the Kingdom, the chief seat of trade, was, by the successive countenance and favour of Princes, strengthen'd with great Charters and Immunities, and was a Corporation governed without any the Mayor, Recorder, Aldermen, Sheriffs, chosen by themselves; several Companies incorporated within the great Corporation; which, besides notable Privileges, enjoyed Lands, and perquisites to a very great revenue. By the incredible increase of Trade, which the distractions of other Countries, and the Peace of this brought, and by the great licentiousness of resort thither, it was, since this King's access to the Crown, in Riches, its People, its Buildings marvellously increased; inasmuch as the Suburbs were almost equal to the City; a Reformation of which had been often in contemplation, never pursued, wise men foreseeing that such a Fulness could not be there, without an Emptiness in other places; and whilst so many persons of Honour and Estates were so delighted with the City; the Government of the Country must be neglected, besides the excess, and ill-husbandry, that would be introduced thereby. But such foresight was interpreted a Morosity, and too great an oppression upon the Common Liberty; and so, little was applied to prevent so growing a Dis-
case.

As it had these, and many other advantages and helps to be Rich, so it was looked upon too much of late time as a Common Stock not easy to be exhausted, and as a body not to be grieved by ordinary Acts of injustice; and therefore as it was a place of resort, in all cases of necessity, for the sudden borrowing great sums of money, in which they were commonly Merchants too good for the Crown, so it was become a practice, upon any specious pretences, to void the Security that was at any time given for money so borrowed.

THUS after many questionings of their Charter, which were ever removed by considerable sums of money, a Grant made by the King in the beginning of his Reign (in consideration of great sums of money) of good quantities of Land in Ireland, and of the City of Londonderry there, was voided by a Suit in the Star-Chamber; all the Lands, after a vast expence in building and planting, resumed into the King's hands,

and a Fine of Fifty Thousand pounds imposed upon the City. Which Sentence being pronounced after a long and publick Hearing, during which time, they were often invited to a Composition, both in respect of the substance, and the circumstances of proceeding, made a general impression in the minds of the Citizens of all Conditions, much to the disadvantage of the Court; and though the King afterwards remitted to them the penalties of that Sentence, they imputed that to the Power of the Parliament, and rather remember'd how the benefit of their Grant had been taken from them, than by whom it was restored; so that, at the beginning of the Parliament, the City was as ill affected to the Court as the Country was; and therefore chose such Burgeesses to sit there, as had either eminently Opposed the Court, or accidentally been Oppressed by it.

THE chief Government and Superintendency of the City is in the Mayor, and Aldermen; which, in that little Kingdom, resembles the House of Peers; and the Common Council is the representative body thereof, like the House of Commons, to order and agree to all Taxes, Rates, and such particulars belonging to the Civil Policy. The Common Council are chosen every year, so many for every *Ward* ~~Parish~~ of the Wisest, and most Substantial Citizens, by the Vestry, and common Convention of the People of that Parish; and as the Wealthiest, and best Reputed Men were commonly chosen, so, though the Election was once a year, it was formerly scarce ever known, that any Man once chosen was afterwards rejected or left out, except upon discovery of an enormous Crime, and decaying in Fortune to a Bankrupt: otherwise, till he was called to be Alderman, or dyed, he continued, and was every year return'd of the Common Council.

AFTER the beginning of this Parliament, when those who steer'd at *Westminster* found by their Experience in the Case of the Earl of *Strafford*, of what consequence the City might be to them, and afterwards found by the Courage of the present Lord Mayor, *St Richard Gourney*, who cannot be too often or too honourably mention'd, that it might be kept from being disposed by them; and that the Men of Wealth, and Ability, who at first had concurred with them, begun now to discern that they meant to lead them further than they had a mind to go; they directed their Confidants, that at the Election of the Common Council-men by the concurrence and number of the Meaner People, all such who were Moderate Men, and lovers of the present Government, should be rejected; and in their Places Men of the most Active and Pragmatical Heads, of how mean Fortunes soever, should be Elected. And by this means that Body in great part now consisted of Upstart,

start, Faction, Indigent Companions, who were ready to receive all advertisements and directions from *Westminster*, and as forward to inroach upon their Superiors, the Mayor, and Aldermen. And so this firebrand of Privilege inflamed the City at that time.

THAT They might gratify the City in procuring a better Answer, than they had receiv'd from the King to their Petition, and that they might more expose his Majesty to their Affronts, the House resum'd the business of the Tower again, with the old Reflections upon the removal of the former Good Lieutenant, and the putting in a Rude Person and of a desperate Fortune, as they called him, that he might use such Prisoners, as there was an intent to send thither, in such a manner as he should be directed; and that the Person, who was since put in, had put the City into great apprehensions by the observation that was made, that he took great store of Provisions into the Tower, as if he made provision for a greater Garrison, which rais'd great jealousies; and there was a Petition brought, and deliver'd to the Houses in the Names of several Merchants who used to Trade to the Mint; in which they desired that there might be such a Person made Lieutenant of the Tower, "as they could Confide in (an Expression that grew from that time to be much used) without which no Man would venture Bullion into the Mint, and by consequence no Merchant would bring it into the Kingdom. Whereas in truth there was no Gentleman in the Kingdom of a better Reputation amongst all sorts of Men, and there had been more Bullion brought into the Mint in the short time of his being Lieutenant, than had been in many Months before; and amongst those Persons, which so solemnly delivered that Petition, and had all subscribed it, there were very few who had ever sent any Silver into the Mint. However the House entertain'd the complaint as very reasonable, and sent for a Conference with the Lords, with whom they prevailed to joyn with them in a desire to the King, "that he would "remove *Sr John Byron* from being Lieutenant of the Tower, which the King for some time refused to do, till they pressed it in another manner; which shall be mention'd anon.

The Committee of the Commons still transacts in the City.

THE Committee, that still continued to Sit in *London*, intended no other business, but their own Privileges; sent for, and examined, as hath been said, all Men, who had attended his Majesty, or had been casually present in the Hall, or at the doors of the Commons House when the King was there; and all such Examinations, as testified any extravagant discourse uttered by any loose Fellow, who had accidentally put himself into the company, though it appeared he had no relation to the King's Service, were carefully Enter'd, and Publish'd;

Published; but such as declared the King's strict Command against any Violence, or disorder, and his positive Charge, that no Man should presume to follow him into the House of Commons (as full proof was made to them of those particulars) were as carefully Suppressed, and Concealed.

THE Sheriffs of *London* had been directed to appoint a Guard to attend the Committee, whilst it should continue there; and then to Guard the Houses when they should again sit at *Westminster*. The Accused Persons, who lodged all this time in the City, were brought to the Committee with much state, and sat with them to devise some way to Vindicate themselves.

THEN a Declaration was agreed upon by the Commons only, in which was set forth, "that the Chambers, Studies, and Trunks of Mr *Hollis*, St *Arthur Haslerig*, Mr *Pym*, Mr *Hambden*, and Mr *Strode*, had been by colour of his Majesty's Warrant sealed up; which was not only against the Privilege of Parliament, but the common Liberty of every Subject; that the same Members had been the same day demanded by a Serjeant at Arms to be deliver'd to him, that he might Arrest them of High Treason; that the next day his Majesty came to the House in his own Person, attended by a multitude of Arm'd Men in a Warlike manner with Halberts, Swords, and Pistols, who came up to the very door of the House, and placed themselves there, and in other places, and passages near to the House, to the great terror and disturbance of the Members then Sitting; that his Majesty, sitting in the Speaker's Chair, demanded the Persons of those Members to be deliver'd to him; which was a high breach of the Rights, and Privileges of Parliament, and inconsistent with the Liberties and Freedom thereof; that afterwards his Majesty did issue forth several Warrants to divers Officers under his own hand, for the apprehension of their Persons, which by Law he could not do. And thereupon they declared, "that if any Person should Arrest Mr *Hollis*, &c. or any other Member of Parliament, by pretence of any Warrant issuing out from the King, he was guilty of the breach of the Privilege of Parliament, and a publick Enemy of the Common-wealth; and that the Arresting any Member of Parliament, by any Warrant whatsoever, without consent of that House, whereof he is a Member, is a breach of the Privilege of Parliament: and the Person that shall so Arrest him, is declared a publick Enemy of the Common-wealth.

A Declaration of the Commons touching the five Members.

X

THEY published, that it did fully appear by several Examinations, "that many Soldiers, Papists and others, to the number of about five hundred, came with his Majesty to

“the House of Commons, arm’d; and that some of them, holding up their Pistols cocked near the door of the House, which they kept open, said, I am a good Marksmen, I can hit right, I warrant you: and said, they would have the door open; and if any opposition was made, they made no question but they should maintain their Parry; and that some said, “a Pox take the House of Commons, let them be Hang’d. And when the King return’d from the House, they expressed great discontent asking, when comes the word; that some of them being demanded what they thought the company intended to have done, answer’d, that questionless in the posture they were set in, if the word had been given, they should have fallen upon the House of Commons, and have cut all their Throats: upon which they said they were of opinion, that the Soldiers and Papists coming in that manner with his Majesty was to take away some of the Members of the House, and if they should have found opposition, or denial, then to have fallen upon the House in a hostile manner.

AND they did thereupon declare, “That the same was a Traiterous design against the King and Parliament. And whereas the Persons accused had, with the Approbation of the House, absented themselves from the Service of the House, for avoiding the great and many inconveniences, which otherwise might have happen’d; since which time, a Printed Paper in the form of a Proclamation had issued out for the Apprehending and Imprisoning them, suggesting, that through the Conscience of their Guilt they were absent, and fled; they did further declare, “that the said Printed Paper, was false, and scandalous, and illegal; and that notwithstanding that Printed Paper, or any Warrant issued out, or any other matter against them, they might and ought to attend the Service of the House, and the Committees then on foot; and that it was lawful for all Persons whatsoever to lodge, harbour, and converse with them, and whosoever should be question’d for the same should be under the Protection, and Privilege of Parliament.

AND they declared, “That the publishing the Articles of High Treason against the Persons accused, was a high breach of the Privilege of Parliament, a great Scandal to his Majesty, and his Government, a Seditious act manifestly tending to the Subversion of the Peace of the Kingdom, and an injury, and dishonour to the Members; and that the Privileges of Parliament, and Liberties of the Subject so violated and broken, could not be fully, and sufficiently Vindicated, unless the King would be graciously pleased to discover the Names of those Persons, who advised him to do the particular

“ticular Acts before mention’d, that they might receive Con-
“dign Punishment.

THIS strange Declaration, so contrary to the known rules and judgements of Law, and to the known practise and proceedings of Parliament, was no sooner framed and agreed upon in the Committee, than it was Printed, and Published throughout the City, and Kingdom, before it was Confirm’d by, or Reported to the House; which is against the custom of Parliament. For, by that custom, no Act done at any Committee should be divulged before the same be Reported to the House.

THE truth is, it cannot be expressed how great a Change there appear’d to be in the countenance and minds of all sorts of People, in Town and Country, upon these late proceedings of the King. They, who had before even lost their Spirits, having lost their Credit, and Reputation, except amongst the meanest People, who could never have been made use of by them, when the greater should forsake them; and so despaired of ever being able to compass their designs of Malice, or Ambition (and some of them had resumed their old resolutions of leaving the Kingdom) now again recovered greater Courage than ever, and quickly found that their Credit and Reputation was as great as ever it had been; the Court being reduced to a lower Condition, and to more disesteem and neglect than ever it had undergone. All that they had formerly said of Plots and Conspiracies against the Parliament, which had before been laughed at, was now thought true and real; and all their fears, and jealousies looked upon as the effects of their great Wisdom and Foresight. All that had been Whispered of *Ireland*, was now talked Aloud and Printed; as all other Seditious Pamphlets and Libels were. The Shops of the City generally shut up, as if an Enemy were at their Gates ready to enter, and to plunder them; and the People in all places at a Gaze, as if they looked only for directions, and were then disposed to any undertaking.

ON the other side, They, who had, with the greatest Courage and Alacrity, opposed all their Seditious practises, between Grief and Anger were confounded with the consideration of what had been done, and what was like to follow. They were far from thinking that the accused Members had receiv’d much wrong, yet they thought it an unreasonable time to call them to an Account for it. That if any thing had been to be done of that kind, there should have been a fitter choice of the Persons, there being many of the House, of more mischievous inclinations, and designs against the King’s Person, and the Government, and who were more exposed to the Publick Prejudice, than the Lord *Kimbolton* was; who was
a Civil,

a Civil, and well natured Man, and had rather kept ill Company, than drank deep of that infection and poison, that had wrought upon many others. Then *Sr Arthur Haslerig*, and *Mr Strode*, were Persons of too Low an account and esteem; and though their Virulence, and Malice, was as conspicuous, and transcendent as any Man's, yet their Reputation, and Interest to do mischief otherwise than in concurring in it, was so small, that they gained Credit and Authority by being joined with the rest, who had indeed a great influence. However, since there was a Resolution to proceed against Those Men, it would have been much better to have caused them to have been all severally Arrested, and sent to the Tower, or to other Prisons, which might have been very easily done before suspected, than to send in that manner to the Houses with that Formality, which would be liable to so many exceptions. At least, they ought so far to have imparted it to Members in both Houses, who might have been trusted, that in the instant of the Accusation, when both Houses were in that Consternation (as in a great Consternation they were) somewhat might have been pressed Confidently towards the King's satisfaction; which would have produced some opposition and contradiction, and might have prevented that Universal concurrence and dejection of Spirit, which seized upon, and possessed both Houses.

BUT above all, the anger, and indignation was very great and general, that to all the other overlooks and presumptions was added the exposing the Dignity, and Majesty, and Safety of the King, in his coming in Person, in that manner, to the House of Commons; and in going the next day, as he did, to the *Guild Hall*, and to the Lord Mayor's, which drew such Reproaches upon him to his Face. All which was justly imputed to the Lord *Digby*, who had before fewer true Friends than he deserv'd, and had now almost the whole Nation his Enemies, being the most Universally odious of any Man in it.

WHEN the House of Commons had Passed such Votes from the Committee at *Merchant-Taylors-Hall*, as they thought necessary, and had once more Adjourn'd thither, the Committee asked the advice of the House, whether the accused Members might be present with them (who had in truth directed, and governed all their proceedings from the time they Sat there) which was not only approv'd, but those Members required to attend the House the next day it was to Sit, and so to continue the Service of the House, which was then Adjourn'd for three or four days, that the City might appear in such a posture, as should be thought convenient.

THE noise was so great of the preparations made in the City

City to bring the accused Members in Triumph to the Parliament, and that the whole Militia would accompany them, whilst the Sea-men and Mariners made an appearance in Barges, and other Vessels, upon the *Thames* to *Westminster*, that the King thought it convenient to remove again from *White-Hall*, and so on the tenth of *January*, which was the Eve to that great Festival, his Majesty, the Queen, and the Royal Children, went from *White-Hall* to *Hampton-Court*, waited on by some few of their own Household Servants, and thirty or forty of those Officers, who had attended at *White-Hall* for security against the Tumults.

The King and the Royal Family, remove to Hampton-Court.

BEFORE His going, he sent to the Earls of *Essex* and *Holland* to attend him in his Journey; who were both by their Places, the one being Lord Chamberlain of his Household, the other the first Gentleman of his Bed-Chamber or Groom of the Stole, obliged to that Duty. The Earl of *Essex* resolved to go, and, to that purpose, was making himself ready, when the Earl of *Holland* came to him, and privately dissuaded him; assuring him, that if they two went, they should be both Murther'd at *Hampton-Court*; whereupon they left the King to his small retinue in a most disconsolate, perplexed Condition, in more need of Comfort and Counsel, than they had ever known him; and instead of attending their Master in that exigent, they went together into the City, where the Committee Sate, and where they were not the less wellcome for being known to have been invited to have waited upon their Majesties. They who wished the King best, were not sorry that he then withdrew from *White-Hall*; for the insolence, with which all that People were transported, and the animosity, which was infused into the Hearts of the People in general against the Court, and even against the Person of the King, cannot be expressed.

WHILST the Committee Sate in *London*, the Common Council likewise met, as hath been said, to the end they might be ready to comply in any particulars should be desired from the City; and so the Committee having Resolv'd, "that the actions of the Citizens of *London*, or of any other Person whatsoever for the defence of the Parliament, or the Privileges thereof, or the Preservation of the Members thereof, were according to their Duty, and to their late Protestation, and the Laws of this Kingdom: and if any Person should Arrest, or Trouble any of them for so doing, he was declared "to be a publick Enemy of the Common-wealth: and in the next place having Resolv'd, "that That Vote should be made known to the Common Council of the City of *London*, the Accused Members about two of the Clock in the Afternoon on the eleventh of *January*, being the next day after

The accused after the King went to *Hampton-Court*, came from their Lodgings in the City to *Westminster*, guarded by the Sheriffs, and *Members are* Train'd-bands of *London* and *Westminster*, and attended by a *brought in* conflux of many thousands of People besides, making a great *Triumph to* clamour against Bishops, and Popish Lords, and for the Privileges of Parliament; some of them, as they pass'd by *White-Hall*, asking with much contempt, "what was become of the *Westminster Jan. 11.* King and his *Cavaliers*? and whither he was gone?"

FROM *London Bridge* to *Westminster*, the *Thames* was guarded with above a hundred Lighters and Long-boats, laden with small pieces of Ordnance, and dress'd up with Wast-cloaths and Streamers, as ready for Fight. And that the Train'd-bands of *London* might be under the Command of a Person fit to lead them, they granted a Commission to Captain *Skippon*, who was Captain of the Artillery Garden, to be Major-General of the Militia of the City of *London*; an Office never before heard of, nor imagined that they had Authority to constitute. The Man had serv'd very long in *Holland*, and from a Common Soldier had rais'd himself to the degree of a Captain, and to the reputation of a good Officer; he was a Man of order and sobriety, and untainted with any of those Vices which the Officers of that Army were exercis'd in; and had newly given over that Service upon some exceptions he had to it, and, coming to *London*, was by some Friends preferred to that Command in the Artillery Garden, which was to teach the Citizens the exercise of their Armes. He was altogether illiterate, and having been bred always abroad, brought disaffection enough with him from thence against the Church of *England*, and so was much caressed and trusted by that Party.

THIS Man march'd that day in the head of their Tumultuary Army to the Parliament House; where the accused Members were no sooner enter'd, than they magnified "the great kindness and affection they had found in the City, and their zeal to the Parliament; and if their expressions of it, upon this extraordinary occasion, had been somewhat unusual, that the House was engag'd in honour to Protect and Defend them from receiving any damage. Whereupon the Sheriffs of *London* were called into the House of Commons, and thanked by the Speaker for their extraordinary care, and love express'd to the Parliament; and told, "That they should have an Ordinance of Parliament for their Indemnity, declaring that all their actions of respect and kindness, which they had shew'd to the Lords and Commons in *London*, and their attending them to, and at *Westminster*, was legal and justifiable. The Masters and Officers of Ships were likewise called in, and most heartily thanked for their kindness;

kindness; and Serjeant Major-General *Skippon* appointed every day to attend at *Westminster*; with such a Guard as he thought sufficient for the two Houses. There was one circumstance not to be forgotten in the march of the Citizens that day, when the shew by Water was little inferior to the other by Land; that the Pikemen had fasten'd to the tops of their pikes, and the rest in their hats or their bosoms, printed Papers of the Protestation which had been taken, and enjoined by the House of Commons the year before for the defence of the Privilege of Parliament; and many of them had the printed Votes of the King's breaking their Privileges in his coming to the House, and demanding their Members.

As soon as the Citizens and Mariners were discharged, some *Buckinghamshire* men, who were said to be at the Door, with a Petition, and had indeed waited upon the Triumph with a train of several thousand men, were called in; who delivered their Petition in the name of the Inhabitants of the County of *Buckingham*, and said it was brought to the Town by about six thousand men. "They commended the unweary'd pains of the House of Commons, for the redress of the pressures they had lain under, but complained that the success was not answerable, their endeavours being frustrated or retarded by a Malignant faction of Popish Lords, Bishops, and Others; and now of late, to take all that little hope, was left, from them, of a future reformation, the very Being of the Parliament was shaken, the Privileges thereof broken in a desperate and unexampled manner, and the Members thereof unassured of their lives, in whose safety, the safety of Them, and their Posterity was involved. They held it therefore their duty according to their late Protestation to defend, and maintain the Persons and Privileges thereof, to the utmost power of their Lives and Estates; to which purpose, they said, they were then come to make the humble tender of their Service, and would remain in expectation of their Commands and Order; to the execution whereof they would with all alacrity address themselves, ready to live by them, or to dye at their feet, against whomsoever should in any sort illegally attempt upon them.

"THEY besought them therefore to assist the ardent Prayers of the Petitioners, that the Popish Lords and Bishops might be forthwith outed the House of Peers; that all Privileges of Parliament might be confirmed to them, and that all evil Counsellors, the *Achans* of the Commonwealth, might be given up to the hands of Justice; without all which, they said, they had not the least hope of *Israel's* peace, or to reap those glorious advantages, which the fourteen
Months

The Buckinghamshire men's Petition to the House of Commons.

"Months feed time of their unparallel'd endeavours had given
 "to their unsatisfied expectations.

WHEN they had received thanks for their wonderful affection, and were told, that "by the great care of the City of London, the Parliament was sufficiently guarded and assured ; and therefore that they might depart to their Houses till further occasion appeared, of which they should be sure to be informed ; One of them said, "they had another Petition, which they meant to prefer to the King ; but desired their advice, whether that House would vouchsafe to recommend it, or whether they themselves should deliver it. For that, they received new thanks ; and were wished "that six, or eight of them should present it to his Majesty in the name of the rest ; for the House saw their Wisdom and moderation such, that they presumed they of Themselves were very able to manage that business.

*They all's
 Petition the
 House of
 Lords.*

WHEN they had thus carested the Commons, they went to the House of Lords with another Petition, complaining "of the malignant faction, which render'd the endeavours of the House of Commons successful, and said "that in respect of that late attempt upon the Honourable House of Commons, they were come to offer their Service, as resolved "in their just defence to live and dye. And therefore they "did humbly pray, that that most Honourable House would cooperate with the House of Commons, in speedily perfecting the most necessary work of Reformation, bringing to condign and exemplary punishment both wicked Counsellors, "and other Plotters, and Delinquents ; and that the whole Kingdom might be put into such a present posture of Defence, that they might be safe both from all practices of the malignant Party at home, and the endeavours of any ill affected States abroad. The Lords were as Civil to them as

*They Petition
 on the King.*

the Commons had been, and gave them great thanks. And from thence they went to find out the King with their Petition to Him ; in which they complained, "that Mr *Hambden*, whom they had chosen Knight of their Shire, and in whom they had ever good cause to confide, was, to their great amazement, accused, amongst the others, of High Treason. They said, that having taken into their serious consideration the manner of their impeachment, they could not but conceive that it did oppugn the Rights of Parliament, to the maintenance whereof their Protestation did bind them ; and they did believe, that the malice, which his, and the others Zeal to his Majesty's Service, and the State, had raised in the Enemies of his Majesty, the Church, and the Common-wealth, had occasioned that foul Accusation, rather than any ill deserts of Theirs ; and that through
 "Their

“ Their sides the judgement and care of the Petitioners and
 “ others were wounded, by whose choice they were presented
 “ to the House; and therefore they did humbly desire his
 “ Majesty that Mr *Hambden*, and the rest, who lay under the
 “ burthen of that Accusation, might enjoy the just Privileges
 “ of Parliament. So from this day we may reasonably date
 the Levying of War in *England*; whatsoever hath been since
 done being but the Superstructures upon those foundations,
 which were then laid.

THE Members being in this manner placed again upon The House of
 their Thrones, and the King retired with his poor family to Commons re-
Hampton-Court, they reviewed their Votes, which had passed ceived the
 in the Committee in the City, which they had caused every Votes passed
 night to be printed without staying for the confirmation of by their Com-
 the House; and where they had any defect, as they thought, mittee in the
 or by the interpretation of others, they supplied them with City, and ad-
 more strength and Authority. So they provided and declared, ded more.
 “ that no Member of Parliament should be arrested upon
 “ any pretence whatsoever. And because it had been insisted
 on that they would not make any Declaration so much against
 the known Law, which allowed no Privilege in the case of
 Treason, Felony, or breach of the Peace, they now added
 that “ even in the Case of Treason no Member ought or could
 “ be arrested, or proceeded against, without first informing
 “ the House of which he was a Member, of the Charge and
 “ Evidence against him, and receiving Their leave and dire-
 “ ction for the proceeding against him. And that men might
 hereafter be more wary how they were made instrumental in
 bringing any reproach upon them, they Appointed a Com-
 mittee to prepare a Charge against *Herbert* the King's Attor-
 ney General for presuming to accuse the Members of High
 Treason; which was made ready accordingly, and prosecuted
 with wonderful vigour, as will be remembered hereafter.

THEY resolved that the King should not enjoy much ease
 and quiet in his retreat; and therefore every day sent some
 Committee or other to him with Petitions and expostulations:
 a Committee of Lords and Commons attended him with
 a grievous complaint of the Breach of Privilege, they had sus-
 tained by his coming to the House; and desired him “ that
 “ he would inform them who had given him that pernicious
 “ Counsel, that such evil Counsellors might be brought to
 “ justice, and receive condign punishment. And when they
 found that the Lord *Digby*, whom they generally believed to
 be the Author and contriver of all that transaction, though
 they could have no evidence of it, had withdrawn himself
 from Court, and they well enough knew had transported
 himself beyond the Seas, they brought Witnesses to the Bar,
 who

*The Lord
Digby ac-
cused of
High Treason upon pre-
sence of his
Levyng
VI^{ar} at
Kingston
upon
Thames.*

who affirmed, "that there were, on such a day, several Officers, whereof the unbelov'd *Lunsford* was one, assembled together at *Kingston upon Thames near Hampton-Court*; and that the Lord *Digby* came thither to them in a Coach with six Horses from *Hampton-Court*, and conferred with them a long time, and then returned again thither. They were well satisfied with the evidence, and forthwith accused him to the House of Peers of High Treason, for the Levying of War against the King and Parliament; and a Proclamation was shortly issued out for his Apprehension, when all the Town knew, that he was safely arrived in *Zee-land*. They resumed the consideration of the Lieutenant of the Tower; and upon new information this much provision was sent in thither every day, they sent for *St John Byron*, who appeared at their Bar, and gave so full answers to all the questions they asked of him, that they could not but dismiss him. However they sent again to the King to remove him, and put a fitter man into the place, and recommended *St John Coniers* to him, as a man in whom they could Confide; and because they did not speedily receive such an Answer as they liked, they appointed their Major-General *Skippon* to place such Guards about the Tower, as might prevent the carrying in more provision of victual thither, than would serve for one days consumption; notwithstanding which, the King would not consent to their desire.

ALL Men were now in union in both Houses: the Lords had not yet recover'd the Courage to dissent in any one Proposition made to them from the Commons; and in Their House no man durst presume to Debate the matter of Privilege, how far it extended, and in what Cases it was of no Moment, lest he might be thought to be privy to, and a Counsellor of, that heinous Breach, which had given them all this Credit. In this consent and concurrence, all the Votes, which had passed at the Committee in *London*, and which had been by them communicated to the Common Council, and so divulged throughout the City and Kingdom, were confirmed; and those who objected against any expressions, which were not warrantable, reprehended for taxing the discretion of the Committee.

AND in one day both Houses agreed in, and executed three Acts of Sovereignty, even of as high a nature as any they have since ventured upon; the first, "in commanding the Sheriffs of *London*, by, and with the advice of their new Serjeant-Major-General *Skippon*, to place a Guard upon, that is to besiege the Tower of *London*, to hinder the coming in of any Provisions, or going out of any Arms or Ammunition; the second, "in appointing *St John Horbam* to
"go

"go to *Hull*, which will be mention'd anon; the third, "in sending an Order to the Governour of *Portsmouth*, that no body should be admitted into that Town and Fort, or suffer'd to pass from thence, or any thing to be disposed of there, but by order from the King signified by both Houses of Parliament.

AFTER this, a message was resolv'd upon to be sent to the Governour of the Prince, "that he should not suffer the Prince to be transported out of the Kingdom, as he would answer the breach of Trust reposed in him concerning Religion, and the Honour, Safety, and Peace of the three Kingdoms; and they declared, "that any Person who should persuade or attend upon him in such transportation, should be under the same Censure. With these high Acts of Publick Concernment they joined the vindication of themselves from the late Trespass: and to that end caused the Attorney ^{The Commons} General to be publickly examined upon Interrogatories. ^{examines the} "whether he did contrive, frame, or advise the Articles of ^{Attorney} Impeachment against the Members that were accused? whether he knew the truth of them upon his Own knowledge, ^{General} touching the "or by information? whether he would undertake to make ^{Impeach-} them good, when he should be thereunto called? from ^{ment of the} whom he received them, and by whose direction or advice ^{five Mem-} he did exhibit them? whether he had any testimony or proof ^{bers.} of them before the exhibiting? And having received his ^{His Answer.} Answer, "that he had neither fram'd, nor advis'd them, nor knew any thing of the truth of them, nor could undertake to justify them, but that he had receiv'd them from the King, and was by him commanded to exhibit them; they presently declared, "that he had broken the Privilege of Par- ^{They Vote a} liament in preferring those Articles, and that the same was ^{Charge a-} illegal, and he Criminal for so doing; and that a Charge ^{gainst him.} should be sent to the Lords, in the name of the House of Commons, against the Attorney General, to have satisfaction for the great scandal, and injury to the Members thereof, unless he did within five days bring in his Proof, and make good the Articles against them.

So that they had now rais'd to themselves an unquestionable stock of security, when they had declared, "that they might neither be apprehended by a Warrant under the King's own Hand, nor accused by his Attorney General, except themselves were willing: and they who had concluded it most exactly just, that the House of Peers must Imprison their own Members, as fast as the Commons accused them of High Treason, and, by that rule, had, within less than a week before, freed themselves of twelve Bishops, who always oppos'd their designs (and in a case, where every

Man's Conscience absolved them of the Guilt, of which they were charged) thought it now Unanswerable reason to condemn the Justice of the King's proceedings ; " because if a " man should be committed and imprisoned as soon as the King " accused him of High Treason , the Parliament might by " consequence be Dissolved ; since he might successively ac- " cuse the whole Body ; which Logick, if they had not pleased to Vote the contrary, would have run as well in their own case, upon their own Licence of accusing , and more dangerously in respect of the House of Peers, which might possibly indeed have been thereby Dissolved.

*The King
removes to
Windsor.*

THOUGH the King had removed himself out of the noise of *Westminster*, yet the effects of it followed him very close ; for besides the *Buckingham-shire* Petitioners, who alarm'd him the same, or the next day after he came to *Hampton-Court*, several of the same nature were every day presented to him, in the name of other Counties of the Kingdom ; all which were Printed, and scattered abroad with the Declaration of the Lord *Digby's* Levying War at *Kingston upon Thames*, and the Proclamation for apprehending him ; all which being so industriously dispersed, and without any colour, or ground of danger, but only that the Kingdom might be injured to the style of the two Houses , and exercised in their commands against the time that they meant to be in earnest , gave the King reason to remove in few days from *Hampton-Court* to his Castle at *Windsor*, where he could be more secure from any sudden popular Attempt ; of which he had reason to be very apprehensive, when, after those high Acts of Sedition at *London* and *Westminster* were declared to be according to the Laws of the Land, and the Protestation lately taken, that Protestation was by a new Order enjoined to be administer'd throughout the Kingdom , and the Names of all those who refused to take it, which there was reason to believe many would upon Their new Glosses, return'd to the House of Commons, who were as severe Inquisitors as could be found any where.

*Thence sends
a message to
both Houses.*

FROM thence his Majesty sent a Message to both Houses, " That he took notice , that his proceedings against those " Persons, whom he had accused (naming them) were con- " ceived by many to be illegal, and not agreeable to the Pri- " vilege of Parliament, and that he was so desirous to give " satisfaction to all men in all matters that might seem to " have relation to Privilege of Parliament, that he would wave " his former proceedings ; and all doubts being by that means " settled, when the minds of Men were composed, he would " proceed against them in an unquestionable way ; and he " assured both Houses, that, upon all occasions, he would be

“as careful of their Privileges as of his Life, or his Crown.
 “To which he added, that, in all his proceedings against
 “those Persons, he had never the least intention of violating
 “the least Privilege of Parliament; and in case any doubt of
 “breach of Privilege remain’d, he would be willing to assert
 “it by any reasonable way his Parliament should advise him
 “to; and therefore he desired them forthwith to lay by all
 “jealousies, and apply themselves to the publick and pressing
 “Affairs, and especially to those of *Ireland*, where the good
 “of the Kingdom, and the true Religion, which should ever
 “be his first care, were so highly and so nearly concern’d.
 “And he desired them, that his care of Their Privileges
 “might increase their care of His Lawful Prerogative, which
 “was so necessary to the mutual defence of each other, and
 “both would be the foundation of a perpetual and perfect in-
 “telligence between his Majesty and Parliaments, and of the
 “happiness and prosperity of his People.

BUT this Message was not such as they looked for; there
 seem’d still to be left a time for prosecution, and though the
 error in Form seem’d to be consented to, yet the Substance
 and Matter of the accusation might be still insisted on. And
 therefore they took no notice of it, but proceeded in inflam-
 ming all Men with the sense of the breach of Privilege; and
 finding the general mettall somewhat to abate, that they might
 keep up the apprehension of danger, and the esteem of their
 Darling the City, they consult about Adjourning both Houses
 into *London*; but finding some danger of infringing the Act
 of Parliament, from whence some advantage might be taken
 to their prejudice, till that power might be cleared by a Law,
 they were contented to Adjourn their Houses as they had done
 for some days, and to appoint Committees, qualified with more
 power than the Houses had, to meet in *London*; which for the
 convenience of the Common Council, who took up the *Guild-
 Hall*, chose to sit in *Grocers-Hall*.

IT was wonder’d, that having all places so much at their
 devotion, they would remove from their more convenient
 seats at *Westminster*; where they might transact whatsoever
 they desired without interruption, and where they were only
 disturbed by their own direction. But the advantage they
 reaped by it was extraordinary; for, besides the fears they
 dispersed abroad, and the confidence they gave their own
 Friends of the City by being with them, they were sure, for
 the most part, to have a Committee to their own hearts de-
 sire; since, besides many out of Laziness or Indignation would
 not attend the Service in so inconvenient a place, very many,
 who troubled them most in their Counsels, Durst not in
 earnest go thither, for fear of uncomely Affronts, if not

danger, their names being published in the tumults as disaffected persons ; and They were those indeed, which constituted the Malignant Party, which they prayed against : and they found it much easier to transact any thing contriv'd and fram'd by such a Committee, than originally offer'd and debated in either House, before the mystery was understood by their Profelytes, and when those, who too well understood it, did render their designs sometimes ineffectual.

THE minds of Men throughout the Kingdom being now prepared to receive all their Dictates with reverence, and to obey all their Orders, and to believe that all their Safety consisted in, and depended upon their Authority, and there being few within the House who had Courage to oppose and contradict them, they sent to the Lords to quicken them in the Bill they had formerly sent to them concerning removing the Bishops out of their House ; which now, when there were so many of them Prisoners in the Tower, they presumed would not meet with so great an opposition. In the House of Commons they called to have the Bill read, which had layn so long there, the same that had been brought in by *St John's Bill of the Militia, and pass is.* *John* for the settling the Militia of the Kingdom ; to which they Now added " the putting all the Forts, Castles, and Gar-
" risons into the hands of such Persons as they could *Confide*
" *in* ; which was the Expression they used, when they had a mind to remove any man from a place, of which he was justly possessed, " that they could not *Confide in* him, which " they thought to be reason enough to displace any man. When this Bill had been with much ado accepted, and first read, there were few men who imagined it would ever receive further countenance : but now there were few, who did not believe it to be a very necessary provision for the Peace and Safety of the Kingdom. So great an impression had the late proceedings made upon them ; so that with little opposition it passed the Commons, and was sent up to the Lords.

UPON the disbanding the late Army in the North, all the Artillery, Arms, and Ammunition, that was provided for that Service, had been by the King's Command sent to *Hull*, where it still remained ; and his Majesty intended it should be kept there, for a Magazine upon all occasions. And he had a little before these late passages sent the Earl of *New-Castle* thither, with a private Commission to be Governour thereof, as soon as it should be fit to publish such a Command ; and in the mean time by his own Interest to draw in such of the Country, as were necessary to Guard the Magazine. But nothing the King did in the most private manner, but was quickly known to those from whom it should most have been concealed.

concealed. And so the Earl of *New-Castle* was no sooner gone, but notice was taken of it; and he had not been three days in *Hull*, before the House of Peers sent for him, to attend the Service of that House, which he had rarely used to do, being for the most part at *Richmond* attending upon the Prince of *Wales*, whose Governour he was. He made no hast to return upon the Summons of the House, but sent to the King to know his Pleasure; who not thinking matters yet ripe enough to make any such Declaration, appointed him to come away; upon which he appear'd in the House, without being asked where he had been.

BUT both Houses shortly after mov'd the King "that the Magazine at *Hull* might be remov'd to the Tower of *London*, which would be very necessary for the quieting the minds of that Country, and abating the Fears and Jealousies in the hearts of very many, who did apprehend some design in the keeping so much Ammunition in the Northern parts: and his Majesty not giving them a speedy Answer, they sent down *Sr John Hotham*, whose Estate lay within three or four Miles of *Hull*, and he had some Command of the Train'd-bands, "to be Governour thereof, and to draw in such of the Country as he thought fit for the place. And though *Hotham* had concurr'd with them in all their violent ways, yet they well knew that he was not possess'd with their Principles in any degree, but was very well affected in his judgement to the Government both in Church and State, but had been first engaged by his particular malice against the Earl of *Strafford*, and afterwards terrified by their Votes against Sheriffs and Deputy Lieutenants, and therefore they sent his Son, a Member likewise of the House, and in whom they more Confid'd, to assist him in that Service, or rather to be a Spy upon his Father. And this was the first Essay they made of their Sovereign Power over the Militia and the Forts, whilst their Bill was yet depending, and was a sufficient manifestation what they intended to do, when it should be pass'd; towards which they made all the hast they could, exercising the King's patience every day with some disagreeable Message to him, upon their Privileges, and requiring "vindication, and reparation, and discovery of the Persons who had promoted that Prosecution. And though the Council once a week attended upon his Majesty at *Windſor*, he could not freely consult with them upon what most concern'd him.

IN this sad Condition was the King at *Windſor*, fallen in ten days from a Height and Greatness that his Enemies fear'd, to such a Lowness, that his own Servants durst hardly avow the waiting on him. For though, 'tis true, the Acts of the

Both Houses move the King that the Magazine at Hull might be removed to the Tower.

They send both the Hothams to Hull.

House of Commons, and the Tumults, were as great affronts to Majesty, before this last Act upon the Members, as any that could be imagined possible to succeed, yet the House of Peers was then well disposed, and might have been managed with a little patience, to have blasted all the extravagances of the Commons. And the truth is, the greatest extravagances appear'd to the standers-by to be but the attempts of Persons in Despair, and the strugglings of Men at the last Gasps. And, without doubt, if the King could have had the patience to have sat still a Spectator of the Dissensions between the two Houses, and encouraging the Lords, who were firm to him, and putting those matters in issue, wherein the Commons had invaded both His and the Lords Privileges; if he had commanded his Council at Law and the Judges, to have proceeded by the strict rules of the Law against Seditious Persons at large, for Preaching and Printing against the peace of the Kingdom, and put the Commons House either to have been quiet; whilst their Champions were exemplarily punished (which would have put a speedy end to their Licence) or to have appear'd the Champions for an Infamous Act against the Law and the Justice of the Kingdom, their Jurisdiction would probably in a short time have been brought within the due Limits, and the stoutest Factor for the Violent Party been glad to have compounded for an Act of Oblivion.

AND I have heard from Credible Persons, that the Chief of that Faction afterwards confessed, that if that extraordinary Accident had not happen'd to give them new Credit and Reputation, they were sinking under the weight of the Expectation of those whom they had deluded, and the Envy of those whom they had oppressed. I am sure, they who out of Conscience, and Loyalty to their King and Country, diligently attended the Publick Service, were strangely surprized at the matter and manner of that Accusation; and foresaw, from the minute, the infinite disadvantage it would bring to the King's Affairs. Not that they thought the Gentlemen accused, less Guilty; for their extreme dishonest Acts in the House were so visible, that nothing could have been laid to their Charge incredible: but the going through with it was a matter of so great difficulty and concernment, that every Circumstance ought to have been fully deliberated, and the several parts distributed into such hands, as would not have shaken in the execution. And the saying, that the King had not Competent Persons enough, whom he might trust in so important a Secret (which I believe was true) is rather an Argument, that the thing was not to be attempted at all, than that it was to be attempted in that manner; for whoever would

would have betray'd the Trust, would be sure to find fault with it, when it was endeavour'd without him, especially if it miscarried. The truth is, there was little reason to believe, that the House of Peers would commit the Lord *Kimbolton* upon the Accusation of Mr Attorney in that conjuncture of time; and less that the House of Commons would deliver up their Members to the Serjeant at Armes, when they should be demanded; which was an irregular thing, and implied unreasonably, that they had some Power to keep them, who were desired to deliver them. Yet if the choice had been better made, and the several Persons first Apprehended, and put into distinct close Custodies, that neither any Body else should have heard from them, nor they one from another, all which had not been very difficult, the high Spirit of both Houses might possibly have been so dejected, that they might have been Treated withal. But even that attempt had been too great for the Solitary State the King was in at that time; which was most naturally to have been improved by standing upon his guard, and denying all that was in his Power to deny, and in compelling his Ministers to execute the Law in those Cases that demonstrably concern'd the Publick Peace.

THE Committee at *Grocers-Hall*, very much exalted to find ^{The Committee at Grocers-Hall} no opposition in any thing they desired from both Houses, resolv'd to make what advantage they could of that Season of their Power; and therefore not vouchsafing to return any Answer to the King's Message of retraction, they concluded ^{design a new Remonstrance.} upon "a new Remonstrance to be made of the State of the ^{France.} Kingdom; in which they would present to the King's view "the causes of the present evils and distractions, and propose "to him, by way of Advice, the Remedies that in their opinion he was to apply to those evils.

"THE Causes they agreed to be, the evil Council about ^{The matter they prepared for it.} "the King and Queen, disposing all occurrences of State, and "abusing the King's Authority and Power to the prejudice "of Religion, the hazarding the Publick Peace, and strengthening a Malignant Party in the Kingdom; the influence, "which the Priests and Jesuits had upon the affections and Counsels of the Queen, and the admission of her Majesty to "intermeddle with the Great Affairs of State, and with the "disposing of places and preferments of the Highest concernment in the Kingdom; whereby those of great Power and "Authority were engaged to favour such designs, as were infused into her Majesty by those of that Religion: the want "of a due Reformation of the Church Government, and Liturgy then used; the want of a Preaching Ministry, and a "competent Maintenance for them; the over strict pressing

“of divers Ceremonies in the Liturgy and Rubrick, and the
 “preſſing other Ceremonies not injoin’d by Law; the Votes
 “of the Popiſh Lords in the Houſe of Peers, which was a
 “hindrance of the Reformation, and a protection of the Ma-
 “lignant Party; the preferring ſuch as had adhered to De-
 “linquents, and the diſpleaſure ſhew’d againſt thoſe who had
 “been uſed as Witneſſes in the Proſecution of them; the
 “breaches of the Privileges of Parliament; and the managing
 “the great Affairs of the Realm in Cabinet Councils by Men
 “unknown, and not publickly truſted; the preferring Men to
 “degrees of Honour and Offices, and diſplacing others, in Par-
 “liament time, and without the conſent of that Council, and
 “many other particulars; to which they thought theſe Re-
 “medies moſt natural, and proper to be applied.

“THAT all Privy Counſellors, and others of truſt and im-
 “ployment beyond the Seas, ſhould be remov’d from their
 “Places, and only ſuch admitted, as ſhould be recommended
 “to the King by both Houſes of Parliament; and that ſuch
 “Counſellors and Officers, as ſhould be ſo diſplaced, and not
 “again recommended, ſhould not have acceſs to the Courts
 “of the King and Queen: that all Priests, Papiſts, and ill af-
 “fected Perſons, though profeſſing the Proteſtant Religion,
 “ſhould be remov’d from the Queen’s Perſon, and from hav-
 “ing any Office or Employment under her, and that all her
 “Servants ſhould take ſuch an Oath as ſhould be deviſed by
 “Parliament; that he, or ſhe, would not at any time directly,
 “or indirectly by Him, or Her ſelf, or any other, move or
 “petition, or ſolicite her Maſteſty in any matter concern-
 “ing the State and Government of the Kingdom, or con-
 “cerning any favour or immunity to be conferred upon any
 “Papiſts, or for any Honour, Preferment, or Employment of
 “any Perſon whatſoever.

“THAT the King would remove from about his own
 “Perſon, and the Queen’s, and from both their Courts, Mr
 “*William Murray*, Mr *Porter*, Mr *John Winter*, and Mr *Wil-*
 “*liam Crofts*, being all Perſons of evil Fame, and Diſaffection
 “to the Publick Peace and Proſperity of the Kingdom, and
 “inſtruments of Jealouſy and Diſcontent between the King
 “and the Parliament: that the King would not entertain any
 “advice or mediation, from the Queen in matters of Reli-
 “gion, or concerning the Government of any of his Domi-
 “nions, or for the placing or diſplacing of any great Officers,
 “Counſellors, Embaſſadors, or Agents beyond the Seas, or
 “any of his Servants attending his Royal Perſon either in
 “his Bed-Chamber, or Privy-Chamber, or attending the
 “Prince, or any of the Royal Iſſue after they ſhall attain to the
 “Age of five years:

“THAT

“THAT the Queen should take a solemn Oath, in the presence of both Houses of Parliament, that she would not hereafter give any Counsel, or use any mediation to the King, concerning the disposing of any Offices or Places above mention’d, or at all intermeddle in any Affairs of State, or Government of the Kingdom: that all Officers and Counsellors, that should be employ’d in any of the Places before mention’d, should take a solemn Oath, that they had not made use of any power or mediation of the Queen directly, or indirectly, for their Preferment, or in obtaining any such Place or Employment: That the Affairs of the Kingdom should not be concluded or transacted by the advice of Private Men, or by any unknown or unsworn Counsellors, but such matters as were fit for the Council, by the Privy Counsellors only; and such as were fit for the Parliament, by the Parliament only:

“THAT no Person whatsoever, under the penalty of Treason, should presume to sollicite, or further any proposition for the Marriage of any of the King’s Children with any Prince or Person of the Popish Religion; and that no Marriage for any of the King’s Children should be concluded with any Prince or Person whatsoever, without the Consent and Advice of both Houses of Parliament: That none of the King’s Children, except the Princess *Mary* then affianced, should at any time go beyond the Seas without the consent of both Houses of Parliament; and that no Person under penalty of High Treason should assist, or attend any of his Majesty’s Children in any such voyage beyond the Seas, without the like consent of both the Houses of Parliament.

“THAT no Mass, or Popish Service, should be said in the Courts of the King or Queen, or in the House of any Subject of the Kingdom; and that more Laws should be made against the Papists; and all the Priests which were condemn’d, should be forthwith executed. That the Votes of Popish Lords might be taken away; and a Reformation made of the Church Government, and Liturgy by the Parliament; and that no penalty should be incur’d for omission of any Ceremony, till the Reformation should be perfect: That all Delinquents should be subject to such penalties and forfeitures as should be agreed on, and imposed by Bill, in both Houses of Parliament: That such as should be declared in Parliament to adhere to any Delinquents, and had thereupon receiv’d any Preferment from the King, should be remov’d from such Preferment; and such as should be declared by both Houses to have been employed and used against Delinquents, and had thereupon fallen into

“the

"the King's displeasure, and been put from their Places, should be restored to their Places, and his Majesty's Favour:

"THAT every Person, who, being a Member of the House of Commons in that Parliament, had been accused of any Offence against that House, and, the Accusation depending, had been called up to the House of Lords in the quality of a Peer, should by Act of Parliament be put out of that House; and that hereafter no Member of the House of Commons should without their consent be called up to be a Peer, except in case of Descent: That no Person, which should hereafter be made a Peer of the Realm, should be admitted to have his Seat, or Vote in the House of Peers, without the consent of both Houses of Parliament: That those Members of the House of Commons, who had this Parliament been called to the House of Peers, except in case of Descent, should be excluded from giving their Votes in the House of Peers, unless both Houses of Parliament should assent thereunto: That no Member of either House of Parliament should be preferred or displaced, sitting the Parliament, without the consent of that House, whereof he was a Member: That such of either House as had been preferred to any Place or Office, during the Parliament, might be put out of those Places:

"THAT the King would declare the Names of those who advised him to the accusation of the Members, and all the particulars that ensued upon that accusation; and that he would make publick Declaration and promise in Parliament, never more to receive information from any Man to the prejudice of any Member of either House, for any thing done in that House, without discovering the Name of such Person who gave him such information. &c.

THESE, and many other particulars of the like nature, were the results of that Committee at *Grocers-Hall*; which I insert here, being the proper time of their Birth, that the World may see, what their Projections were in the Infancy of their visible power and advantage; though they were not digested into avow'd Propositions till long after, as the effects of ripe divisions, and fuller grown jealousies. For by that time they had shaped and framed their Devices, they found the Eyes of the People not so universally shut as they had been; and that the King's coming to the House of Commons, or the accusing the Members, was not more spoken of than the Tumults, and the driving the King out of *London*, and not suffering him to be quiet at *Hampton-Court*. Then the Lords began to take new Courage, and though they were somewhat intoxicated with the fears and jealousies concerning their Privileges, yet they thought Trespasses of that kind capable

**As whether any thing of Ireland
was mentioned therein.*

pable of reparation, and so were willing to receive any Over-
ture from the King to that purpose. It was concluded there-
fore, "the time was not yet ripe to do all at once, till more
"Men were engaged, and resolv'd, "with more patience to
"win their ground by inches.

THE King continued at *Windſor* to expect the end, or the
issue of this Tempest; and finding that they hardly would take
notice of his former Messages, but proceeded in the High-
ways of Destruction, for he had advertisement of their most
secret Combinations, resolv'd to send such a Message to the
two Houses, whose United Reputation was yet too great to
struggle with, as might at least divide Those, who desired the
Publick Peace, from the Ministers of Confusion: and so on
the 20th of *January* sent this Proposition and Message to them
in writing, "For preventing those evils, which the manifold
"Distractions threaten'd to the Kingdom; that they would
"with all speed fall into a serious Consideration of all those
"particulars, which they held necessary, as well for the up-
"holding and maintaining the King's just and Regal Autho-
"rity, and the Settling his Revenue, as for the present and
"future Establishment of their Privileges, the free and quiet
"enjoying of their Estates, and Fortunes, the Liberties of their
"Persons, the security of the true Religion now professed
"in the Church of *England*, and the Settling of Ceremonies
"in such a manner, as might take away all Just Offence;
"which when they should have digested, and composed into
"one entire Body, that so his Majesty and themselves might
"be able to make the more clear judgement of them, it should
"then appear, by what his Majesty would do, how far he
"had been from intending, or designing any of those things,
"which the too great Fears and Jealousies of some Persons
"seem'd to apprehend; and how ready he would be to equal,
"and exceed the greatest Examples of the most indulgent
"Princes in their Acts of grace and favour to their People;
"so that if all the present Distractions, which so apparently
"threaten'd the ruin of the Kingdom, did not, by the blef-
"sing of Almighty God, end in a happy and blessed accom-
"modation, his Majesty would then be ready to call Heaven
"and Earth, God and Man, to witness, that it had not failed
"on His part.

THIS Message was receiv'd by the Lords with great signs
of joy, insomuch that they desired the Commons to join with
them in returning their Thanks to his Majesty for his gracious
offers, and to assure him, "That they would forthwith apply
"themselves to those considerations, he proposed. However
the next day they joined together in a Petition to the King,
"that he would, in very few days, send in his Proofs, and
"proceed

*The King's
Proposition
and Message
to both Hou-
ses Jan. 20.*

*Both Houses
Petition the
King about
the accused
Members.*

His Majesty's Answer.

"proceed against the Members he had Accused of High Treason, or declare them to be Innocent, and himself to be ill advised; to the which he Answer'd, "that he was ready to proceed against them, but that there might be no new mistakes in the way, and form of the proceedings, he desired, that it might be first resolv'd, whether his Majesty were bound in respect of Privileges to proceed against them by Impeachment in Parliament, or whether he were at liberty to prefer an Indictment at Common Law in the usual way, or whether he had his choice of either; before that was resolv'd, his Majesty thought it unusual and unfit to discover what Proof he had against them; but then he would give such speedy direction for Prosecution, as might put a determination to the business.

THIS gave them new Offence and Trouble; and if the King's Council had had the Courage to have insisted upon the matter of Law, and the Lords would have given them reasonable countenance, they would have been much puzzled to have procured a Resolution that would have serv'd their purposes to all parts, and been content to have suspended their judgement, that so the King might have suspended his prosecution. For if the Judges had been called to deliver their opinions in point of Law, which they ought to have been, they could not have avoided the declaring, that by the known Law, which had been confessed in all times and ages, no Privilege of Parliament could extend in the case of Treason; but that every Parliament Man was Then in the condition of every other Subject, and to be proceeded against accordingly. In the next place, as they would never have ventured themselves upon the House of Peers under an Impeachment, and thereby made them their Judges, which indeed was incongruous, every Subject being to be Try'd for his Life *per Patres, vel per Legem Terræ*, to both which the Lords, and the Impeachment, were directly opposite; so they would less have trusted an Indictment at Law, and a well chosen sober Jury, who had been bound to follow their Evidence of Fact, and were not Judges of the Law, which was severe in any Conspiracy against the Crown, or the Persons of King or Queen.

BUT having shut the doors against any mention of Law, they made no scruple of resolving, and answering his Majesty, "That they were first to see the Evidence he had to prove the guilt, before they could give any direction for the manner of the Prosecution, and proceeding; which they grounded upon a Maxim, they had but lately established, though never till then heard of; "that no Member of Parliament, "for what Offence soever, could be Arrested, or proceeded against, but by the consent of that House of which he was
" a Mem-

" a Member ; and then, they said, they could not give, or deny their consent by any other measure than the Knowledge of the Crime and Proof, upon which such Member stood accused. Which Conclusion had been reasonable had the Premises been just ; whereas the argument was to be inverted, that Their consent was not to be asked, because they had no Cognisance of the Crime of which their Members were accused, nor were Judges whether their accusation were valid in Law, or sufficiently proved in Fact.

IT is not to be believed how many sober, wellminded men, who were real Lovers of the Peace of the Kingdom, and had a full submission, and reverence to the Known Laws, were imposed upon, and had their Understandings confounded, and so their Wills perverted, by the mere mention of Privilege of Parliament ; which instead of the plain, and intelligible notion of it, was by the dexterity of those Bouteuseus, and their under-Agents of the Law, and the Supine Sottishness of the People, render'd such a mystery, as could be only explain'd by Themselves, and extended as far as they found necessary for their occasions, and was to be acknowledged a good reason for any thing that no Other reason could be given for. " We are, say they, and have been always confessed, the only Judges of our own Privileges ; and therefore " whatsoever we declare to be our Privilege, is such : otherwise whosoever determines that it is Not so, makes himself Judge of that, whereof the Cognisance only belongs to Us. And this Sophistical Riddle perplexed many, who, notwithstanding the desperate Consequence they saw must result from such Logick, taking the first Proposition for true, which, being rightly understood, is so, have not been able to wind themselves out of the Labyrinth of the Conclusion : I say the Proposition Rightly understood : They are the only Judges of their own Privileges, that is, upon the Breach of those Privileges, which the Law hath declared to be their own, and what punishment is to be inflicted upon such Breach. But there can be no Privilege, of which the Law doth not take notice, and which is not pleadable by, and at Law.

THE truth and clearness of this will best appear by Instance: If I am Arrested by Process out of any Court, I am to plead in the Court, that I am a Member of Parliament, and that, by the Privilege of Parliament, my Person ought to be free from Arrests. Upon this Plea the Judge is bound to discharge me ; and if he does not, he is a Criminal, as for any other trespass against the Law : but the punishing the Person, who hath made this infringement, is not within His power, but proper to that Jurisdiction, against which the contempt is ; therefore that House, of which I am a Member, upon complaint

plaint made of such an Arrest, usually sends for the persons culpable, the party at whose Suit the Arrest is made, and the Officers which executed it, and commits them to Prison, till they make acknowledgment of their Offence. But that House never sends, at least never did till this Parliament, any Order to the Court out of which the Process issued, to stay the proceedings at Law, because the Privilege ought to be legally pleaded. So, after the Dissolution of Parliament, if I am Arrested within the days of Privilege, upon any plea of Privilege the Court discharges me; but then the Party that Arrests me, escapes punishment till the next Parliament, the Judge having no more power to commit the man that sued or arrested me, than he hath to imprison a man for bringing an Action at Law, when he hath no good title; neither is He Judge of the contempt.

AGAIN, if a man brings an Information, or an Action of the Case, for words spoken by me, and I plead that the words were spoken by me in Parliament, when I was a Member there, and that it is against the Privilege of Parliament, that I should be impleaded in any other place, for the words I spoke There; I ought to be discharged from this Action or Information, because this Privilege is known, and pleadable at Law; but that Judge can neither punish, nor examine the breach of Privilege, nor Censure the contempt. And this is the true and proper meaning of the old receiv'd Axiom, that they are Judges only of their own Privileges.

AND indeed these two, of freedom from Arrests for their Persons (which originally hath not been of that latitude to make a Parliament a Sanctuary for Bankrupts, where any person out-lawed hath been declared incapable of being return'd thither a Member) and of liberty of Speech, were accounted their chiefest Privileges of Parliament: For their other, of Access to the King, and correspondence by Conference with the Lords, are rather of the Essence of their Councils, than Privileges belonging to them. But that their being Judges of their Privileges should qualify them to make New Privileges, or that their Judgement should Create them such, as it was a doctrine never before Now heard of, so it could not but produce all those Monstrous effects we have seen; when they have assumed to swallow all the Rights and Prerogatives of the Crown, the Liberties and Lands of the Church, the Power and Jurisdiction of the Peers, in a word, the Religion, Laws, and Liberties of *England*, in the bottomless and insatiable Gulph of their own Privileges. And no doubt these invasions, on pretence of Privilege, will hereafter be judged to have been the most unparallel'd, and capital Breach of those Privileges, that had ever yet been attempted.

IN the Address, which the House of Commons prepared for acknowledgement of the King's Grace and favour in his Message of the twentieth of *January*, they had desired, "that for a ground of their Confidence, and removal of Jealousies, ^{The Lords and Commons differ about addressing} that they might apply themselves to give his Majesty satisfaction in the Method he proposed, his Majesty would ^{for removing Sr John Byron from the Tower.} presently put the Tower of *London* into the hands of such a person, as Both Houses should recommend to him; in which the Lords Differ'd with them; as well for that the disposal of the custody thereof was the King's peculiar Right and Prerogative, as likewise that his Majesty had committed the charge thereof to *Sr John Byron*, a person of a very Ancient family, an honourable extraction, and good Fortune, and as unblemished a Reputation, as any Gentleman of *England*. The Commons, much troubled that the Lords should again take the courage to dissent from them in any thing, resolv'd to press the King upon their Own score, and to get the recommendation of so great an Officer to Themselves.

AND therefore on the six and twentieth day of *January*, they sent a Petition to him in the name of the Knights, Citizens, and Burgesses, of the Commons House assembled in Parliament; in which they took notice "of the gracious Message from his Majesty of the twentieth instant, for which they return'd most humble thanks, resolving to take it into speedy and serious consideration; and said, to enable them with security to discharge their duties therein, they had desired the House of Peers to joyn with them, in humbly beseeching his Majesty to raise up unto them a sure ground of Safety and Confidence, by putting the Tower, and other principal Forts of the Kingdom, and the whole Militia thereof, into the hands of Such persons as his Parliament might Confide in, and as should be recommended unto him by Both Houses of Parliament; that, all Fears and Jealousies being laid aside, they might with chearfulness proceed to such Resolutions, as they hoped would lay a sure foundation of Honour, Greatness, and Glory to his Majesty, and his Royal Posterity, and of happiness and prosperity unto his Subjects throughout all his Dominions; where- in the House of Peers had refused to joyn with them. But they, notwithstanding, no way discouraged, but confiding in his Majesty's goodness to his people, did therefore make their humble Address to him to beseech him, that the Tower of *London*, and other principal Forts, and the whole Militia of the Kingdom, might be put into the hands of such persons as should be recommended to him by the House of Commons; not doubting but they should receive a Gracious and speedy Answer to that their humble Desire, without which,

"which, in all Humane reason, the great Distractions of the Kingdom must needs overwhelm it with misery and Ruine.

THE King was not troubled at the receipt of this Petition, glad, that since they could not be brought to such a degree of Reasonableness, as might make up all breaches, they would be so peremptorily Unreasonable as might probably sever Those from them who were not so Desperate as themselves; and he hoped, that when the People should observe that this grasping of the Militia of the Kingdom into their own hands, as an Expedient for the composing their high grown Fears and Jealousies, was no more than they desired the Summer before, when *Sr Arthur Haslerigg* brought in his Bill into the House of Commons, which is before remembered, when that title of Fears and Jealousies was not discover'd; and when the Peers should observe, that the House of Commons insolently Demanded, by their own Single Suffrage, the deputing men to Places of that vast Importance, they would both conclude, that those Immodest Askers were not only fit to be Denied, but Reformed: yet believing that Real and Just Fears might grow up, to discountenance and suppress those Imaginary ones, his Majesty vouchsafed a very soft and gentle Answer to that Petition; and told them, "that he hoped his gracious

*His Majesty's
Answer.*

"Message would have produced some such Overture, as by offering what was fit on Their parts to do, and by asking "what was proper for Him to grant, might have begot a "mutual Confidence in each other. Concerning the Tower "of London, that He did not expect, having prefer'd a person of a known Fortune, and unquestionable Reputation, to "that Trust, that he should have been press'd to remove "him without any particular Charge objected against him; "however, that if, upon due examination, any particular "should be presented to him, whereby it might appear he "was mistaken in his good opinion of that Gentleman, and "that he was unfit for the Trust committed to him, he would "make no scruple of discharging him; otherwise, he was "obliged in justice to himself, to preserve his Own work, lest "his Favour and good Opinion might prove a Disadvantage "and Misfortune to his Servants, without any other Accusation; of which he hoped his House of Commons would "be so tender, as of a business, wherein his Honour was "much concern'd, and if they found no material Exceptions "against that person, they would rather endeavour to satisfy "and Reform the Fears of other men, than, by complying "with them, press his Majesty to any thing which did so "much reflect upon his Honour, and Justice.

"FOR the Forts and Castles of the Kingdom, that he was "resolv'd they should always be in such hands, and Only in
"such,

“such, as the Parliament might safely Confide in; but the
 “Nomination of any persons to those Places, being so prin-
 “cipal and inseparable a flower of his Crown, vested in him,
 “and derived to him from his Ancestors by the fundamental
 “Laws of the Kingdom, he would reserve to Himself; in
 “bestowing whereof, as he would take care that no corrupt
 “or Sinister courses should prevail with him, so he was will-
 “ing to declare, that he should not be induced to express
 “that Favour so soon to any persons, as to those, whose
 “good Demeanour should be Eminent in, or to his Parliament.
 “And if he then had, or should at any time, by mis-informa-
 “tion confer such a Trust upon an Undeserving Person, he
 “was, and would always be, ready to leave him to the Wis-
 “dom and Justice of the Parliament.

“FOR the Militia of the Kingdom, which by the Law was
 “subject to no Command but of his Majesty, and of Autho-
 “rity lawfully derived from him, he said, when any parti-
 “cular course for ordering the same should be considered, and
 “digested, and proposed to him, he would return such an
 “Answer as should be agreeable to his Honour, and the
 “Safety of his People, he being resolv’d only to deny those
 “things, the Granting whereof would alter the fundamental
 “Laws, and endanger the very foundation, upon which the
 “Publick happiness and welfare of his People was founded
 “and constituted, and which would nourish a greater, and
 “more destructive Jealousy between the Crown, and the Sub-
 “ject, than any of those, which would seem to be taken away
 “by such a satisfaction.

“HE said, he was not willing to doubt, that his having
 “granted more than ever King had granted, would persuade
 “Them to ask more than ever Subjects had asked: but if they
 “should acquaint him with the particular grounds of their
 “Doubts and their Fears, he would very willingly apply
 “Remedies proportionable to those Fears; for he called God
 “to witness, that the preservation of the Publick Peace, the
 “Law, and the Liberty of the Subject, was, and should all-
 “ways be, as much his Care as his own Life, or the Lives of
 “his dearest Children.

“AND therefore he did conjure them by all the Acts of
 “Favour they had receiv’d from him this Parliament, by
 “their hopes of future happiness in his Majesty, and in one
 “another, by their love of Religion, and the Peace of the
 “Kingdom, in which, he said, that of *Ireland* was included, X
 “that they would not be transported by Jealousies, and ap-
 “prehensions of Possible dangers, to put themselves or his
 “Majesty, into Real and Present inconveniencies; but that
 “they would speedily pursue the way proposed by his former

“Message, which, in Human Reason, was the only way to
 “compose the Distractions of the Kingdom, and, with God’s
 “blessing, would restore a great measure of felicity to King
 “and People.

THIS Answer being not only a denial, but such an Ex-
 postulation as would render their Counsels of less reverence
 to the People, if upon those reasons they should recede from
 what they had with that Confidence, and disdain of the House
 of Peers demanded of the King; they therefore resolv’d to
 set up their rest upon that stake, and to go through with it,
 or perish in the attempt. And, to this purpose, they again
 muster up their Friends in the City, and send their Emissaries
 abroad to teach the People a new Language. All Petitions
 must now desire, “that the Kingdom might be put into a
 “posture of Defence, and nothing else would serve to defend
 “them from the many Plots and Conspiracies against them, or
 “secure them from their own Fears and Jealousies. More
 Petitions were presented to the House of Commons by some
 Citizens of *London*, in the name of those Merchants, that
 usually Traded to the Mint with Bullion, who pretended
 “that their Fears and Jealousies were so great, that they durst
 “not carry their Bullion to the Tower, being not satisfied
 “with the present Lieutenant there; and therefore desired
 “that he might be removed; and more to the like purpose.

X THEY had wholly undertaken the managing of the War
 in *Ireland*, and really, for many reasons, neither did use, nor
 desired to use, any great Expedition in that work; yet having
 with great industry infused into the minds of the People at
 least a Suspicion that the Court favoured that Rebellion, they
 always made use of the slowness in those proceedings to the
 King’s disadvantage. About that time, they had desired the
 City to furnish them with one hundred thousand pounds, for
 the Levying, and accommodating Forces to be sent into that
 Kingdom, which gave the Common Council, where such
 Loans were always transacted, opportunity to return their
 opinions, and advice upon the general State of Affairs. They
 said, “they could lend no more Money by reason of those
 “obstructions, which threaten’d the Peace of this Kingdom,
 “and had already render’d it even desperate: that the not pas-
 “sing the Bill against Pressing of Soldiers, which still de-
 “pended with the Lords, upon those reasons formerly men-
 “tioned at large, put many Men into fears, that there was
 “some design rather to lose That Kingdom, and to consume
 “This in the loss of it, than to preserve either the one, or
 “the other; and that the Rebels were grown so strong there,
 “that they made account speedily to extirpate the British
 “Nation in that Kingdom; and that they intended Then, as
 “they

*The Com-
 mons desire
 to borrow
 money of the
 City.*

*The Com-
 mon Coun-
 cil’s An-
 swer.*

"they already bragged, to come over, and make This the
"Seat of the War.

"THAT the not putting the Forts into such hands, in
"whom the Parliament might Confide, the not settling the
"Kingdom in a posture of Defence, the not removing the
"present Lieutenant of the Tower, and putting such a Person
"into that place, as might be well approved by the Parlia-
"ment, could not but overthrow Trading more and more,
"and make Monies yet more scarce in the City and Kingdom.
"That the misunderstanding between the King and Parlia-
"ment, the not vindicating the Privileges thereof, the charg-
"ing some Members of Treason to the deterring of others
"from discharging their Duties, and to the destroying the
"very Being of Parliaments, did exceedingly fill the minds of
"Men well affected to the Publick, with many fears and dis-
"couragements; and so disable them from yielding that
"cheerful assistance, which they would be glad to afford.
"That by this means, there was such a decay of Trading,
"and such scarcity of Money, neither of which could be
"cured, till the former evils were removed, as it was like, in
"very short time, to cast innumerable multitudes of poor Ar-
"tificers into such a depth of Poverty and Extremity, as
"might enforce them upon some dangerous and desperate At-
"tempts, not fit to be Expressed, much less to be justified;
"which they left to the House speedily to consider, and pre-
"vent. These evils, under which they did exceedingly la-
"bour and languish, they said, did spring from the employing
"of ill affected persons in places of Trust and Honour in the
"State, and near to the person of the King; and that they
"were still continued by means of the Votes of Bishops, and
"Popish Lords, in the House of Peers. And so having faith-
"fully represented, they said, the true reasons, which really
"enforced them to return that Answer, they craved leave to
"protest before God and the High Court of Parliament, that
"if any further miseries beset their dear Brethren in *Ireland*,
"or if any mischief should break in upon this Kingdom, to
"the endangering or disturbing the peace thereof, it ought
"not to be imputed to Them, but only to such, who should
"endeavour to hinder the effectual and speedy cure of those
"evils before recited, which did so much disable and discourage
"them from doing that which the House had desired of
"them.

At the same time, were presented other Petitions, sub-
scribed by many thousand hands, and in the names of the
Knights, Gentlemen, and Freeholders, and other Inhabitants,
of the Counties of *Middlesex*, *Essex*, and *Hertford*; all which
severally inveighed against the Malignant Party, which ren-
der'd

der'd the good endeavours of the House of Commons fruitless; " desired that the Votes of the Bishops, and Popish " Lords, might be taken out of the House of Peers; that they " might be put into a posture of defence, and the Forts, and " Castles of the Kingdom, into such hands as the Parliament " might Confide in; that so *Ireland* might be relieved, and " this Kingdom made happy. One of them adding, that the " Malignant Party of Prelates and Papists, and their adherents, " were inconsistent with the happy success of the Parliament. These Petitions, and the Answer of the Common Council of *London*, were thought ample materials for a Conference with the Lords, who might be thereby remember'd of their Duty; and to that purpose Mr Pym delivered them at a Conference, and after they were read, told them, " that their Lordships might " in those Petitions hear the voice, or rather the Cry of all " *England*; and that they were not to wonder if the urgency, " the Extremity of the condition we were all in, did produce some earnestness and vehemency of expression more " than ordinary; the agony, terrour, and perplexity, in which " the Kingdom laboured, was universal, all parts were affected with it; and therefore in those Petitions they might observe the Groans and miserable complaints of all. After a long discourse of the great and notorious dangers the Kingdom was in, by Invasions threaten'd from abroad, and Insurrections from within, he told them, " the Obstructions, that had " brought them into that Distemper, were principally the obstruction of Reformation in matters of Religion; and that " there was never Church or State afflicted with more grievances of That kind, than we had been; and that though " they were partly eased and diminished by the wisdom of " the Parliament, yet many still remained; and as long as the " Bishops, and the corrupt part of the Clergy, continued in " their power, there would be little hope of freedom, either " from the sense of those that continued, or the fear of those " which were removed. And of That obstruction, he said, " he must clear the Commons, who were in no part guilty " of it. Some good Bills they had already passed, and others " were in preparation, and might have been passed before " that time, if they had not found such ill success in the other " House: whatsoever mischief that obstruction should produce, They were free from it; they might have their part of " the Misery, they could have none in the Guilt or Dishonour.

HE told them " there was great obstruction in Trade, " which brought food and nourishment to the Kingdom; and " then having enlarged himself with enumeration of the notable benefits the Kingdom received by the fulness of Trade, " he

Mr Pym
delivers the
Petitions to
the Lords at
a Conference.

"he said, he must protest, the House of Commons had given
 "no cause to that obstruction: They had eased Trade of
 "many Burthens, and heavy Taxes, and had freed it from
 "many hard restraints by Patents and Monopolies; they had
 "sought to put the Merchants into security and confidence
 "in respect of the Tower of *London*, that so they might be
 "invited to bring in their Bullion to the Mint, as heretofore
 "they had done; they were no way guilty of the Troubles,
 "the Fears, and Publick dangers, which made Men withdraw
 "their Stocks, and keep their Money by them, to be ready
 "for such suddain exigents, as, in those great distractions,
 "they had too great cause to expect.

"THERE was an obstruction, he said, in the relief of
 "*Ireland*, but he must declare the Commons were altogether X
 "innocent of any neglect therein; they had agreed to the Le-
 "vies of Men and Money, and, from time to time, done all to
 "the furtherance thereof, though in the midst of many distra-
 "ctions and diversions; but the want of Commissions for
 "Levyng Men, that was the Bill about Pressing, and divers
 "other impediments, had been the causes of that obstru-
 "ction. Nay, he said, he did not only find impediments to
 "themselves, but encouragement to the Rebels; for many of
 "the chief Commanders now in the head of the Rebels, after
 "both Houses had stopped the Ports against all *Irish* Papists,
 "had been suffer'd to Pass, by his Majesty's immediate War-
 "rants, much to the discouragement of the Lords Justices and
 "Council there, which were procured by some evil instru-
 "ments too near his Royal Person, and, they believ'd, with-
 "out his knowledge and intention.

HE said, "there was an obstruction in providing for the
 "defence of the Kingdom, that they might be inabled to
 "resist a Forreign Enemy, and to suppress all civil Insurre-
 "ctions: what endeavour they had used to remove them, but
 "hitherto without that Success and Concurrence which they
 "expected, and where their stop had been, and upon what
 "grounds they might proclaim their own Innocency and Faith-
 "fulness in that particular, they desired no other Witnesses
 "but their Lordships.

HE told them, "the evil influences, which had caused
 "that Distemper, were the evil Councils about the King,
 "the great Power, that a Factious and Interest'd Party had
 "in Parliament by the continuance of the Votes of the Bishops,
 "and Popish Lords, in their Lordship's House, and the tak-
 "ing in of others out of the House of Commons, and other-
 "wise to encrease their strength, the somenting a Malignant
 "Party throughout the Kingdom, the Jealousies between the
 "King, and his Parliament. And after many bitter and Se-

ditionous expressions of the Court, and of all those who were not of his mind, he concluded, "that he had nothing to propose to their Lordships by way of request or desire from the House of Commons; he doubted not, but their Judgements would tell them what was to be done; their Consciences, their Honours, their Interests, would call upon them for the doing of it. The Commons would be glad to have their help and concurrence in saving the Kingdom; but if their Lordships should fail, it should not discourage them in doing their Duty; and whether the Kingdom be lost, or saved, they should be sorry, that the story of this present Parliament should tell Posterity, that, in so great danger and extremity, the House of Commons should be enforced to save the Kingdom alone, and that the House of Peers should have no part in the Honour of the preservation of it, they having so great an interest in the good success of those endeavours, in respect of their great Estates, and high degrees of Nobility.

As soon as this Conference was ended, the Speaker of the House of Commons was appointed to give Mr Pym solemn Thanks for his so well performing that service, and to require him to deliver his Speech in writing in to the House, that it might be Printed; which was done accordingly, to the end that the People might understand, besides those reproaches upon the King, how negligent the House of Peers were of their welfare and security.

*His Speech
Printed by
Order.*

THE same day and hour after that Conference, a great number of people, in the name of the Inhabitants of the County of *Hertford*, presented a Petition to the House of Peers; in which, amongst other particulars, "they complain'd of the delay of putting the Kingdom into a posture of War for their better defence, and the want of compliance by that Honourable House with the House of Commons, in entertaining those many good Motions, and Passing those necessary Bills presented to them from that House for the Common Good. And therefore they desired them, for the better removing of all the causes and springs of their Fears and Troubles, that the evil Counsellors, and others hindering the Publick Good, might be taken from his Majesty, and the Voting of the Bishops and Popish Lords, to be remov'd out of that Honourable House: And that the Petitioners, who would be ever ready to hazard their Lives and Estates for the defence of the King and Parliament, the Privileges of the same, and in special those noble Lords and Gentlemen in both Houses, whose endeavours were for the Publick Good, might have liberty to Proceed against all those, as Enemies to the Kingdom, who refused to joyn
"with

“with those Honourable Lords and the House of Commons, for the putting the Kingdom into a way of Safety, under the Command of such Persons, as the Parliament should appoint. But neither this, nor any of the other proceedings were resisted by the House of Peers, though their Privileges were not only invaded, but the very Freedom and Liberty of Parliament absolutely taken away and destroyed thereby.

WHEN the House of Commons found that none of these extraordinary ways would thoroughly subdue the House of Lords, but that, though they had very sturdy Champions there, the Major part, albeit the Bishops, and all the Recusant Lords were driven from thence, still opposed them, whereby neither the Bill for the taking away the Bishops Votes, nor about Pressing, could pass, and that they peremptorily still refused to joyn in the business of the Militia; they found a new way, as unpracticed and as unnatural as any of the former, whereby they would be sure to have an influence upon the House of Peers. It is an old Custom, and Privilege of that House, that upon any solemn Debate, whosoever is not satisfied with the conclusion and judgement of the House, may demand leave to enter his Protestation, which must be granted. The Original of this was in Jealous Times, when Men desired, for avoiding the ill consequence of any Act there, that their Dissents might appear; and was very seldom practiced, but when they conceiv'd Religion, or the Crown, trenched upon; insomuch as you shall not find, in the Journals of many Parliaments, one Protestation enter'd; and when there was any, there was no more in the Records, than, after the Resolution of the House is enter'd, “that such a Lord desired that his Protestation or Dissent might be enter'd, and oftentimes when several have dissented from the general Opinion, not above one or two have enter'd their Protestation. But since this Parliament, as they alter'd this Custom from cases of high Concernment to the most trivial Debates, the Minor part ordinarily entering their Protestation, to the end that their Opinions might be taken notice of, and who were opposite to them, whereby the Good and Bad Lords were known and published; so they alter'd the form, and instead of short general Entries, caused the matter of Debate to be summ'd up, and thereupon their Protestation, “that they were not to be answerable for any Inconveniences or Mischiefs, that should befall the Common-wealth by reason of this or that Resolution. So that from an Act for the particular Indemnity of the Person, that made it, it grew sometimes to be a reproaching and arraigning the sense of the House by any Factious number that disagreed. Then

because the House of Peers is a Court of Record, they concluded, "That any Man upon any occasion might peruse the Journals; and so every Night the House of Commons could see how the Debates had been managed and carried all the Day, and take publick notice, and make use of it accordingly, which they could not do of those discourses they receiv'd from their Confidants; for supplying whereof this unjustifiable method was found out. For though it is a Court of Record, the highest Court, and the Acts and Judgements of Parliament are Records, to which the Subject may upon all occasions resort, yet they ought not to make use of that Liberty in order to question any words spoken, or acts done, and remember'd there; of which if the Lords are not the only Judges, their Privileges are much less than the Commons in truth have, and may justly claim.

It happen'd, about this time, that upon some Overture in the Lords House, which pleased them not, the Violent Party there, in a disorderly manner, cry'd out, *Adjourn, Adjourn*, being not willing the matter should then come into Debate; others were not willing that the House should Adjourn. The Duke of *Richmond* troubled at that Tumultuary and indirect proceeding, said, without directing himself to the Speaker, "if they would Adjourn, he wish'd it might be for six Months, or words to that effect; upon which some of the other Party immediately moved, "that the House might not rise, and that the Duke would explain himself, and answer the making such a Motion, as, being granted, would be destructive to the Common-wealth. The Duke said, "he made no Motion, but us'd that expression, to shew his dislike of the other Motion to Adjourn at that time, when there was business in agitation of great Concernment; and that, when he spoke, all Men being upon their feet, and out of their places, he conceiv'd the House had been Up. Upon this he was required to withdraw; and then they, who had long looked upon him with great Envy and Animosity, as the only great Person, and Officer at Court, who had discountenanced their power, and their stratagems, and had with notable Courage always oppos'd their extravagancies, and servile complying with the House of Commons, and submitting to the Tumults, and had with singular Constancy preserv'd his Duty and Fidelity to his Majesty unviolated, inveigh'd against that Motion, "as of too Serious a nature to be made a jest of, and fit to be Censured as most pernicious to This Kingdom, and destructive to *Ireland*; the War whereof could not proceed, if the Parliament should have been Adjourned for six Months, as his Lordship had proposed.

ON

ON the other side, it was alledg'd, "that the Motion had never been made to the House; and therefore they ought no more to question, or take notice of it, than of every light or frolick Discourse or Expression, that negligently, or casually fell from any Man; which would take away all liberty of Conversation. However, that if it had been seriously, and formally made, it could be no Crime, it being the necessary Liberty and Privilege of every Member, to make any Motion he thought in his judgement fit, which the House would approve, or reject, as it found reasonable. And that, since it was as much in the Houses Power to Adjourn for six Months, as for six Days, it was as lawful to move the one as the other; of which there could not be the least inconvenience, because the House would be sure to reject it, if it were not found proper. After a very fierce, and eager Debate, in which much Bitterness and Virulency was expressed, it was Resolv'd by the Major part, that the Duke had committed no Offence; and so he was as regularly absolv'd as was possible. Hereupon the Earls of *Northumberland, Pembroke, Essex, and Holland*, who thought the Duke's Affection and Duty to his Master a Reproach, and his interest prejudicial to Them, with the rest of that Party enter'd their Protestation; "that whereas such a Motion had been made by the Duke of *Richmond*, and upon being questioned for the same, he had been acquitted by the Major part, They were free from the Mischiefs and Inconveniences, which might attend the not punishing of an Offence tending so much to the prejudice of King or Kingdom.

THIS Protestation, by the advice of that Nights meeting, was, the next Day, taken notice of in the House of Commons, and the matter it self of the Motion enlarged upon, by all possible and Rhetorical aggravations, concerning the Person, and his Interest, according to the licence of that House, and that People. It was said, "here was an evil Counsellor, that had discover'd himself, and no doubt had been the Author of many of those evil Counsels, which had brought that trouble upon us; that he had receiv'd his Education in *Spain*, and had been made a Grandee of that Kingdom, and had been ever since notoriously of that Faction; that his Sisters were Papists, and therefore his Affection was to be questioned in Religion; that, from the beginning of this Parliament, he had been opposite to all their proceedings, and was an Enemy to Reformation; that he had vehemently opposed the Attainder of the Earl of *Strafford*; was a Friend to Bishops; and now, to prevent any possibility of Reformation, which could not be effected without the Concurrence of the two Houses, had desperately moved in the

"House

“House of Peers, where he had a great Faction, that it would
 “Adjourn for six Months; in which time the Malignant Party,
 “of which he might well be thought the Head, and had
 “the greatest influence upon the King’s Affections, would
 “prevail so far, that all future hopes would be render’d de-
 “perate, and the Kingdom of *Ireland* be utterly lost, and
 “possessed by the Papists: that they were therefore to take
 “this opportunity, which God had given them, to remove so
 “Malignant and dangerous a Person from the King, and one
 “so suspected, from so important a Charge as the Cinque
 “Ports, of which the Duke was Lord Warden, and to send
 “to the Lords to joyn with them in a desire to the King to
 “that purpose.

ON the other side, it was objected, that “whilst they
 “were so Sollicitous for their own Privileges, and sensible of
 “the breach and violation of them, they could not more
 “justify those, who had been the Advisers of such breaches,
 “than by offering the like trespass to the Privileges of the
 “Peers: that the life of that Council depended on the liberty
 “of Speech, and where there were so different Minds, there
 “must be different Expressions, and if one House might take
 “notice what the other House said, or did, within Those
 “Walls, the Lords would as well question Their Members, as
 “they did now one of the Lords; which would take away
 “all freedom of Debate: that they could not Examine the
 “Circumstances, which attended that Motion, if any such
 “was made; and therefore could not so much as, in their pri-
 “vate understandings make a reasonable judgement of it, but
 “that they were naturally to presume the Circumstances were
 “such, as took away the Offence of the Motion; for that the
 “Major part of that House, where the words were spoken,
 “and at the time when they were spoken, had, upon Solemn
 “Debate, concluded, that there was no Crime in them; and
 “that they were not only the Proper, but the Only Judges
 “in that Case: and if the Commons should intermeddle
 “therewith, it was no otherwise, than, by the strength of the
 “Major part of the House of Commons, to make the Minor
 “part of Lords Superior to the Major part of that House;
 “which they would not suffer to be offered to themselves.

It was alledg’d, “That the Duke was a Person of great
 “Honour and Integrity, and of so unblemished a Fame, that
 “in all the discovery of the Court Offences, there was not any
 “reflection upon him. That his Education had been, accord-
 “ing to the best Rules of the Greatest Persons, for some years
 “beyond the Seas; and that, having spent more time in *France*
 “and *Italy*, he visited *Spain*; where his Great Quality being
 “known, and no question as a Compliment to this Kingdom,
 “with

"with which it was then in streight Alliance and Confederacy, that King had conferr'd the Honour of Grandee upon him; which was of no other advantage or signification to him, than to be Cover'd in the Presence of that King, as the principal Subjects there are. That his Affection to the Protestant Religion was unquestionable and very Eminent; and though his Sisters, who had been bred under their Mother, were Roman Catholicks, yet his Brothers, of whose Education He had taken the sole Care, were very good Protestants.

"THAT his opinions in Parliament had been very avow'd, and were to be presumed to be according to his Conscience, in the profession of which he was so publick, that there was reason to believe he used no ill arts in private; since he had the Courage to do that Aloud, which he had reason to believe would displease many. That it would be a great prejudice, and blemish to their Councils and Discoveries, if after so long discourse of a Malignant Party, and evil Counsellors, of which they had never yet named any, they should first brand This Lord with that imputation upon such a ground and occasion, as must include all those Lords who had absolv'd him, which was the Major part of the Lords. In a word, that it would look as if they had devised those new words to make Men afraid, and keep them in reserve to apply to all those with whom they were Angry.

BUT notwithstanding all this, and all the reason that could be spoken on that part, and that there could be none on the other, after a Debate of very many hours, till after nine of the Clock at Night (the latest that ever was in the Parliament, but that of the Remonstrance) in which it was evident, that they meant, as far as in them lay, to Confound all those, whom they could not Convert; it was Resolv'd by the Majority of Voices, not half of the House being present at that unseasonable time of the Debate, "that they should accuse the Duke of Richmond to the Lords to be one of the Malignant Party, and an evil Counsellor to his Majesty; and to desire them to joyn in a request to the King, that he might be remov'd from any Office or Employment about his Person; which was solemnly recommended to the Lords accordingly, and by them so far receiv'd, that though the desire was rejected, no dislike or disapprobation of the Matter or the Manner was in the least discover'd, or insisted on.

ALL things thus prepared, and so many Lords driven and kept from the House, besides the Bishops, and they that stay'd there, by this last instance, instructed how to carry themselves, at least how they provoked the Good Lords to Protest, they Resolv'd once more to try whether the House of Peers would

Addition that Mr Gamell a Burgess for the City of Chester told him that if he left not the Town speedily he should be committed to the Tower, or brought on his Head by soldiers.

n. B. This is mentioned by p. 150. in his view p. 585. as an instance of violent actions against Liberty of the Subject. See also of Parliament with this

be induced to joyn in the business of the Militia, which they had twice refused; and to that purpose, their old Friends of the City in the same numbers flocked to *Westminster*, but under the new, receiv'd, and allowed, style of Petitioners; but as unlike Petitioners to any of those Lords or Commons, whom they understood to be Malignant, as the other Tumults had been. From these Herds there were two notable Petitions deliver'd to the House of Commons, the one from the Porters, their number, as they said, consisting of fifteen Thousand; the other under the title of many Thousands of poor People in, and about the City of *London*. The Porters, with great Eloquence, confessed "the unexpressible pains, "that Honourable House had taken for the Good of Church "and State; which deserv'd to be Recorded to their Eternal "Fame, though the Effects of those unwearied endeavours "were not produced, by reason of the prevalence of that adverse Malignant, Blood-sucking, Rebellious Party, by the "power of which the Privileges of Parliament, and the Liberty of the Subject was trampled upon, the Rebellion in
 X "Ireland increased, and all Succours and Relief for that Kingdom obstructed. They said, "That Trade had been long "languishing, but was now dead by the Fears, Jealousies, and "Distractions they lay under, for want of Fortification of the "Cinque Ports, which was a great encouragement to the Papists to make Insurrections, and did much animate a Foreign Power to Invade us: that by the deadness of Trade "they did want employment in such a measure, as did make "their Lives very uncomfortable; therefore their Request "was, that That extream necessity of theirs might be taken "into serious Consideration, and that the Honourable House "of Commons would fall upon the speediest course for abating and quelling the Pride, Outrage, and Insolency of the "adverse Party at Home; that the Land might be secured by "Fortifying the Cinque Ports, and putting the People into "a posture of Defence, that all their Fears, or as many as "could, might be remov'd, and that Trade might be again "set up and opened, that their wants might be in some measure supplied. They further desired that Justice might be "done upon Offenders, according as the Atrocity of their "Crimes had deserv'd; for if those things were any longer "suspended, they should be forced to Extremities not fit to be "named, and to make good that saying, that Necessity hath "no Law. They said they had nothing to lose but their "Lives, and those they would willingly expose to the utmost "peril, in defence of the House of Commons, according to "their Protestation, &c.

THE other was a Petition in the names of many Thousands of

of poor People, and brought by a multitude of such, who seem'd prepared for any Exploit. I have thought fit, for the rareness of it, and the rare Effect it produced, to insert that Petition in Terms as it was presented, Thus.

To the Honourable the House of Commons now assembled in Parliament.

"The humble Petition of many thousands of poor People
"in and about the City of London.

"HUMBLY sheweth, that your Petitioners have lain a
"long time under great pressures, and grievances both in Li-
"berties and Consciences, as hath been largely, and sundry
"times, shewed and declared, by several Petitions exhibited
"to this Honourable Assembly both by the Citizens, and Ap-
"prentices of the City of London, and divers Counties and
"parts of this Kingdom, from which we hoped long e're this,
"by your pious care, to have been delivered.

BUT now we, who are of the meanest Rank and Quality,
"being touched with penury, are very sensible of the ap-
"proaching storms of Ruin, which hang over our Heads, and
"threaten to overwhelm us, by reason of the sad distractions
"occasioned chiefly and originally, as your Petitioners hum-
"bly conceive, by the prevalency of the Bishops, and the Po-
"pish Lords, and others of that Malignant Faction; who
"make abortive all good Motions, which tend to the Peace,
"and Tranquillity of this Kingdom of England, and have
"hitherto hinder'd the sending relief to our Brethren in Ire-
"land, although they lye weltering in blood; which hath
"given such head to the Adversaries, that we justly fear the
"like calamities inevitably to befall us Here, when they have
"vented their rage and malice There.

"ALL which, occasions so great a decay and stop of Trade,
"that your Petitioners are utterly impoverished, and our mi-
"series are grown insupportable, we having already spent all
"that little means, which we had formerly, by Gods blef-
"sing, and our great labour, obtain'd; and many of us have
"not, nor cannot tell where to get, bread to sustain our selves
"and families; and others of us are almost arrived at the
"same Port of calamity; so that unless some speedy remedy
"be taken for the removal of all such obstructions, which
"hinder the happy progress of your great endeavours, your
"Petitioners shall not rest in quietness, but shall be forced to
"lay hold on the next remedy which is at hand, to remove
"the disturbers of our Peace; Want and necessity breaking
"the bounds of Modesty: and rather than your Petitioners

"will

*R. B. T. One Page of
his Petition are ex-
tracted in P. W. Aug.
Daly's View. p. 584 &
a remarkable In-
stance of the In-
fluence of Violence &
Arbitrary Power.*

" will suffer themselves, and their families, to perish through
 " Hunger and necessity, though hitherto patiently groaned
 " under, they cannot leave any means untried for their re-
 " lief.

" THE Cry therefore of the Poor, and Needy, your Poor
 " Petitioners, is, that such Persons, who are the obstacles of
 " our peace, and hinderers of the happy proceedings of this
 " Parliament, and the enjoyment of the looked for purity of
 " Religion, safety of our lives, and return of our welfares,
 " may be forthwith publickly declared, to the end they may
 " be made manifest; the removal of whom we humbly con-
 " ceive will be a Remedy to cure our miseries, and put a
 " period to these distractions: and that those Noble worthies
 " of the House of Peers, who concur with your happy Votes,
 " may be earnestly desired to joyn with this Honourable
 " House, and to Sit and Vote as one entire body; which we
 " hope will remove from us our destructive Fears, and pre-
 " vent that, which Apprehension will make the Wisest and
 " Peaceablest men to put into Execution.

" FOR the Lords sake hear us, and let our Religion, Lives,
 " and Welfares be precious in your sight, that the loins of
 " the Poor may bless you, and pray, &c.

AFTER this scandalous and extravagant Petition deliver-
 ed, the House, according to its gracious custom, ordered
 thanks to be given for their great kindness. To the Which
 when it was delivered by the Speaker, who told them that
 the House was in consideration of those things, whereof they
 complained, some of that rabble, no doubt as they had been
 taught, replied, " that they never doubted the House of Com-
 " mons, but they heard all stuck in the Lords House, and
 " they desired to know the Names of those Peers, who hin-
 " dered the agreement between the Good Lords and the
 " Commons: which they pressed with unheard of rudeness
 and importunity, and with a seeming unwillingness withdrew,
 whilst the House took the matter into further consideration.

YET notwithstanding this Provocation, and that it was
 urged by many Members, some of which had been assaulted
 and ill intreated by that Rabble in their passage to the House,
 " that the countenancing such Licentious persons and proceed-
 " ings would be a great blemish to their Counsels, they were
 again called in; and told, " that the House of Commons
 " had endeavoured, and would continue those endeavours for
 " their relief; and they doubted not, when they had deliver-
 " ed their Petition, and what they had said, to the Lords,
 " which they would presently do, the causes of their evils
 " would be found out, and some speedy course resolved upon for
 " their

"their relief; and therefore desired them with patience to attend a further Answer. And accordingly that Petition was solemnly read, and delivered to the Lords at a Conference; and the Conference no sooner ended, than Mr *Hollis*, one of those Five whom the King had accused a Month before of High Treason, was sent to the Lords in a Message to desire them, "that they would joyn with the House of Commons in their desire to the King about the Militia; to which he added, "that if that desire of the House of Commons was not assented to, he desired those Lords who were willing to concur, would find some means to make themselves known, that it might be known who were against them, and they might make it known to those that sent them.

AFTER which Motion, and Message, the Lords again resumed the Debate; which the Earl of *Northumberland* began with a profession, "that whosoever refused, in that particular, to joyn with the House of Commons, were, in His opinion, Enemies to the Common-wealth; when the Major part of that House had twice before refused to concur with them in it. Yet when his Lordship was questioned for that Unparliamentary language, all the other Lords of that Faction joined with him; and declared, "that it was Their opinion likewise: the Rabble being at the door to execute whatever they were directed: so that many Lords, out of a just indignation to see their Honours, and their Liberties Sacrificed to the People by Themselves; others, out of real fear of being murdered, if they should, in that conjuncture of time, insist on their former resolutions, withdrawing themselves; the Major part of those, who stayed, concluded to joyn with the House of Commons in their desire concerning the Militia.

*The Lords
pass the Bill
touching the
Militia.*

WITHIN two days after this agreement, and submission of the Lords, another Petition was presented to the Commons, in the name of the Inhabitants of the County of *Surrey*, by a multitude of People, who were, or pretended to be, of that County, and Subscribed by above two thousand hands. Their Petition was of the ordinary strain, full of devotion to the House of Commons, and offering to execute all their commands; but with it they presented likewise a Petition, which they intended to present to the Lords, if They approved it, and was Subscribed by above two thousand hands; by which it may appear Where that Petition was drawn, and When, however the hands were procured. The Petition to the Lords took notice "of their happy concurrence with the House of Commons in settling the Militia, and Forts, in such hands as the Common-wealth might Confide in, and the King-

"dom

dom in such a posture as might be for its defence, and safe-guard: yet they complained of the miserable condition of *Ireland*, which, they said, by the delay it had found amongst their Lordships, notwithstanding the pressing endeavours of the House of Commons, together with many of their Lordships, had been exposed to the inhuman cruelties of their merciless Enemies. With like grief they apprehended the Distractions of this Nation, the composure of which was altogether hopeless, so long as the King's Throne was surrounded with evil Counsellors, and so long as the Votes of Popish Lords, and Bishops, were continued in their House. WHEREFORE they did humbly pray, and beseech their Lordships, that they would go on in a constant Union with the House of Commons, in providing for the Kingdom's safety; that all evil Counsellors might be found out, *Ireland* relieved; that the Votes of the Popish Lords, and Bishops, might be speedily removed; that so the Peace of the Kingdom might be established, the Privileges of Parliament vindicated, and the purity of Religion settled, and preserved. And, they said, they should be in duty obliged to defend, and maintain with their lives and Estates, their Lordships, as far as they should be united with the Honourable House of Commons, in all their just and pious proceedings.

WHICH Petition was read in the House of Commons, and approved, and the Petitioners thanked for their kind expressions therein; and then it was delivered by them at the Bar of the House of Peers; who, within a day or two, passed the Bill for taking away the Bishops Votes, and that concerning Pressing, which had lain so long desperate, whilst the Lords came, and sat with freedom in the House. And these marvellous things done, they again Adjourn both Houses into *London*, to lay the Scene for future Action.

and the Bills touching the Bishops Votes, and Pressing.

Both Houses adjourn again into London.

Both Houses Petition the King touching the Tower, Forts, and Militia, &c. Feb. 2.

UPON the second day of *February*, some Members, appointed by both Houses, attended his Majesty at *Windsor* with their Petition, "that he would forthwith put the Tower of *London*, and all other Forts, and the whole Militia of the Kingdom, into the hands of such persons, as should be recommended unto his Majesty by both Houses of Parliament; which, they assured themselves, would be a hopeful entrance into those courses, which, through God's blessing, should be effectual for the removing all diffidence, and misapprehension between his Majesty and his People; and for establishing and enlarging the honour, greatness, and Power of his Majesty, and Royal posterity; and for the restoring and confirming the Peace, and happiness, of his loyal Subjects in all his Dominions. And to that their most necessary

"Petition,

"Petition, they said, they did, in all humility, expect his "speedy and gracious Answer, the great Distractions, and Distempers of the Kingdom, not admitting any delay.

At the same time they likewise presented another Petition to him, concerning the accused Members; in which they besought him "to give directions, that the Parliament might "be informed before *Friday* next (which was within two "days) what proof there was against them, that accordingly "they might be called to a legal Trial; it being the undoubted right, and Privilege of Parliament, that no Member of Parliament could be proceeded against, without the "consent of Parliament.

His Majesty now found that these persons could not be compounded with, and that their purpose was, by degrees, to get so much Power into their hands, that they need not care for what was left in His; and that the Lords were in no degree to be relied upon to maintain their Own Privileges, much less to defend His Rights; and that they had the power generally to impose upon the People's Understanding contrary to their own Senses, and to persuade them, "that they "were in danger to be invaded by foreign Enemies, when the King was not only in peace with all Christian Princes, but almost all other Nations so imbroyled in War, that they all desired the Friendship and Assistance of *England*; none was in case or condition to disturb it: "and that there was "a decay and deadness of Trade, and Want and Poverty "growing upon the whole Kingdom, when no man living had ever remember'd the like Plenty over the whole Land, and Trade was at that height, that the like had never been known.

He resolved therefore to remove himself to a greater distance from *London*, where the Fears and Jealousies grew; and constantly to deny to pass any Act, that should be recommended to him from the two Houses, except what might concern *Ireland*, till he might have a full prospect of all they intended to demand, and an equal assurance how far they intended to gratify him for all his condescensions; which resolution was very Parliamentary, it having been rarely known, till this present Parliament, that the King consented to any Acts, till the determination of the Session. *The King resolves to remove farther from London.*

The truth is, when his Majesty found the extremity of success of the accusation against the Members, and that the Tumults, and the Petitioners, were no other than an Army at the disposal of those, in whom he had no reason to put his confidence, and that all such who expressed any eminent zeal to his Service, would be taken from him under the style of Delinquents and Malignants, he resolved that the Queen,

who was very full of fears, should go to *Portsmouth*, Colonel *Goring*, who was Governour thereof, having found means to make good impressions again in their Majesties of his Fidelity; and that Himself would go to *Hull*, where his Magazine of Canon, Arms, and Ammunition was; and that being secured in those strong places, whither they who wished him well, might resort, and be protected, he would sit still, till they who were over-active, would come to reason.

BUT this, though resolved with so much secrecy, that it was not communicated to three persons (as I have been since assured by those who knew) whether by the Treachery of one of those few, or by the Curiosity of others (which I rather believe) who found means to over-hear all private discourses (as both Bed-Chambers were inhabited, and every corner possessed, by diligent Spies upon their Master, and Mistresses) was imparted to those who procured those Orders before mentioned for *Hull* and *Portsmouth*; by reason whereof, and the advice, and promise of many Lords, "that they" would firmly unite themselves for the just support of the "Regal power, with the extream apprehension the Queen had of danger, that Counsel was laid aside. That, which wrought so much upon the Queen's fears, besides the general observation how the King was betrayed, and how his Rights, and Power, were every day wrested from him, was an advertisement, that she had received, of a design in the prevalent Party to have accused her Majesty of High Treason; of which, without doubt, there had been some discourse in their most private Cabals, and, I am persuaded, was imparted to her upon design, and by connivance (for there were some incorporated into that Faction, who exactly knew her nature, passions, and infirmities) that the disdain of it might transport her to somewhat which might give Them advantage. And shortly after that discovery to her Majesty, those persons before mentioned were accused of High Treason; yet afterwards, when they had received the full fruits, they found means to complain, "as a great argument of the malignity of those persons of nearness to both their Majesties, "that an insinuation had been made to the Queen, that there "was a purpose of accusing her of High Treason, and solemnly by Message "besought her to discover, Who had done "that malicious Office; when they very well knew Who it was, and for Whose sake the Queen was brought to return Answer, "that she had heard such a discourse, but took no "notice of it, as never believing it; whereas if she could have been compelled to have discovered, how they knew that the Queen had been informed, all the secret would have appeared; the same person first telling her what was in projection
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against

against her, and then returning Intelligence of any expressions, and distemper, he might easily observe upon the apprehension which the other begot.

BUT both King and Queen were then upon that disadvantage, that all their words, and actions, which were the pure results of their own reasons, and judgments upon what they saw every day occurred, were called the effects of evil Counsels, that so they might take the liberty to reproach them with the more licence; whilst what they received by the most secret perjury of Bed-Chamber Spies, or what they forged themselves, was urged as the result of common Fame, or the effects of their Fears and Jealousies, to the rancour of which the most precious balm of the Crown must be applied. And therefore it was concluded, "that the Queen should take the opportunity of her Daughter the Princess *Mary's* Journey into *Holland* (who had been before married to the young Prince of *Orange*, and was now solemnly desired by the States Embassadors to come into that Country) "to transport her self into *Holland*, patiently to expect an amendment of the affairs of *England*; and that the King should retire into the North, and reside at *York*, and deny all Particulars, till the Whole alteration should be framed. But the first resolution concerning the Queen was only published, the other, concerning the King, communicated to very few; both their Majesties being reduced to so great wants, that the Queen was compelled to coyn, or sell, her Chamber Plate for the supply of her most necessary occasions, there being no money in the Exchequer, or in the power of the Ministers of the Revenue; the Officers of the Customs, out of which the allowance for the weekly support of their Majesties household had been made, being enjoined by the House of Commons, not to issue out any money, without their particular consent, and approbation.

IT was evident now that the accused Members were too mighty for the King or the Law, and that they would admit no other Judges of their guilt, than Themselves, nor rules of proceeding, than the Plurality of their own voices: and therefore the King resolved to give over any more thought of that business. And so to that Petition he Answered, "that as he once conceived that he had ground enough to accuse them, so Now he found as good cause wholly to wave any prosecution of them. The other Petition concerning the Militia gave him more trouble; for though he was resolved in no degree to consent to it, yet he was willing, till all things could be ready for the Queen's Journey, and so for his own remove, rather to Delay it, than Deny it; lest the same Army of Petitioners might come to *Windſor* to persuade him,

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which

which had Converted, or prevailed over the House of Peers. And he was persuaded by some, who thought they knew the temper of both Houses, that though they were now united in the Matter, they might easily be divided upon the Circumstances; and that they would not be of one mind in the election of the Persons to be Confided in. So that to that Petition his Majesty returned this Answer :

*The King's
Answer to
the Petition
concerning
the Militia.*

“THAT he was willing to apply a remedy not only to their Dangers, but to their Doubts and Fears; and therefore that when he should know the extent of power, which was intended to be established in those persons, whom they desired to be Commanders of the Militia in the several Counties, and likewise to what time it should be limited, that no power should be executed by his Majesty alone without the advice of Parliament, Then he would declare that he would be content to put in all the Forts, and over the Militia, such persons as both Houses of Parliament should either approve, or recommend to him; so that they before declared the names of the persons, whom they would approve or recommend, and so that no person should be named by them, against whom his Majesty should have just, and Unquestionable exception.

WHICH Answer, though it was not a Consent, gave them notable encouragement, and exceedingly united the vulgar minds to them; who concurred only with them, as they saw them like to prevail in what they went about. And there was no danger of any disunion in the Nomination of Persons; because, though they should at first admit such into the Number, whom they could not sufficiently trust, nor plausibly except against, yet when they were once possessed of the power of Nomination, they might easily Weed out those which were not agreeable to the Soil they were planted in. However this would take up some time; and therefore to keep the King's inclination to gratify them (for so they would understand it) warm, the same day they received this Answer, they returned a Message of thanks; and desired his Majesty, whilst they were preparing all other particulars according to his command, that he would confer the custody of the

*The House of
Commons re-
turn the
King's thanks;
and desire
John Coniers
may be
made Lieu-
tenant of the
Tower.*

“Tower upon Sr *John Coniers*, whom they had lately recommended to his Majesty as a person of great merit. With which being surprized, and desired likewise by Sr *John Byron* to free him from the Agony and vexation of that place, which John Coniers had exposed his person and reputation to the rage and fury of the People, and compelled him to submit to such reproaches, as a generous Spirit could not brook without much regret; for he had upon frivolous surmises been sent for as a Delinquent, and been brought upon his knees at the Bar of both

both Houses; his Majesty consented to that alteration, and made *Sr John Coniers* Lieutenant of the Tower. Which was such an instance of his yielding upon Importunity, that from that time they thought themselves even possessed of the whole Militia of the Kingdom. *The King consents to it.*

WHILST all diligence was used in making preparation for the Queen's Journey, to divert their Councils from other inquisition, the King (who had receiv'd so many sharp expostulations for breach of Privileges, and other attempts upon their Reputations) resolv'd upon their publication of a bold scandal upon Himself by one of their principal Members, to expostulate with them, and try what Satisfaction and Reparation they were prepared to give Him, who exacted so much from Him. All opportunities had been taken in Publick, and all licence given to Private and Clandestine forgeries to lay odious, or envious imputation on the King and Queen, in the business of *Ireland*; and to impute the progress and success of that Rebellion to a connivance, if not a countenance, from the Court: the not Levying Men, and sending Provisions, imputed to his Majesty; though he had, as is before observ'd, offered to Levy ten Thousand Voluntiers for that Service, and had consented chearfully to every Proposition, that had been made with the least reference to the assistance of that Kingdom. Indeed he was so alarm'd with those perpetual odious suggestions, which he perceived wrought very pernicious effects in the minds of the People, that he was compelled to consent to many things contrary to his Judgement, and Kingly Policy, to prevent greater inconveniences by those scandals, which he saw were prepared for him. So when several Propositions were recommended to him by the two Houses concerning those Supplies, which were to be sent out of *Scotland*, amongst the rest, there was one, "that the *Scots* should have the Command, and keeping of the Town, and Castle of *Carrickfergus*; and if any Regiments, or Troops, in that Province should joyn with them, that they should receive Orders from the Commander of the *Scotish* Forces. The King consented to all the rest, though there were matters unreasonable enough in favour of that Nation; but, "That, he said, "he could not approve of; and wished "the Houses to take that Proposition again into consideration, as a business of very great importance, which "he doubted might prove prejudicial to the Crown of *England*, and the Service intended. And he said, if the Houses desired it, he would be willing to speak with the *Scotish* Commissioners, to see what satisfaction he could give them therein. This Answer was no sooner read, but both Houses Voted, "that whosoever gave the King Advice, or Counsel,

“to send that Answer, was an Enemy to the King, and Kingdom, and a Committee appointed to find out who those evil Counsellors were. So that, the *Scotish* Commissioners pressing him, “that being their Native King, he would not “publish a less Trust and Confidence in them, than their “Neighbour Nation had done, his Majesty thought fit to consent to the whole, as the two Houses had advised.

THEN, in the carrying on the War, they allowed his Majesty so little Power, that when he recommended some Officers of prime Quality, Reputation, and Experience in the War, to the Lord Lieutenant to be employed in that Service, the House of Commons by express Order, and after they knew that his Majesty had recommended them, rejected them, because they were taken notice of to have attended upon the King at *White-Hall*, as a Guard to his Person. And after all this, they took all occasions to asperse him with any omissions that were in that great work; as Mr *Pym* had more particularly done, in that Speech before taken notice of, at the Conference with the Lords, upon the delivery of those Seditious Petitions; of which the King could not take notice, lest he should be again reproached with breach of Privilege.

The King
demands re-
paration for
an expression
in a Printed
Speech of Mr
Pym's.

BUT when that Speech was Printed by Order of the House, the King thought he had an opportunity to require a vindication; and therefore, in a Letter to the Speaker, he sent this Message: “That he had taken notice of a Speech, pretending by the title to have been delivered by Mr *Pym* in a Conference, and Printed by Order of the House of Commons; in which it was affirmed, that since the stop upon the Ports against all *Irish* Papists of both Houses, many of the chief Commanders, now in the Head of the Rebels, “have been suffered to pass by his Majesty's immediate War-rant: and being certain of having used extream caution in the granting of Pass-Ports into *Ireland*, he conceived, either that Paper not to have been so delivered, and Printed, “as is pretended; or that House to have received some mis-information. And therefore his Majesty desired to know, “whether that Speech had been so delivered, and Printed; “and if it had, that the House would review, upon what information that particular had been grounded, that either it “might be found upon reexamination false, and so both the “House, and his Majesty to have been injured by it; or that “his Majesty might know, by what means, and by whose fault, his Authority had been so highly abused, as to be “made to conduce to the assistance of that Rebellion, which he “so much detested and abhorred; and that he might see himself fully vindicated from all reflections of the least suspicion of that kind.

IT was some time before they would vouchsafe any Answer to the King upon this Message; but at last they returned, *The House of Commons's Answer.* "that the Speech, mentioned in that Message, was Printed by their Order, and what was therein delivered, was agreeable to the sense of the House: That they had received divers Advertisements concerning the several Persons, Irish Papists, and others, who had obtained his Majesty's immediate Warrant for their passing into Ireland, since the Order of restraint of both Houses; some of which, as they had been informed, since their coming into Ireland, had joyn'd with the Rebels, and been Commanders amongst them; and some others had been stay'd, and were yet in safe Custody.

THEN they named some, to whom Licences had been granted before the Order of restraint, and were still in England; and said, "there were others, whose names they had not yet received, but doubted not, upon examination, they would be discovered.

To this the King Reply'd, and told them, "that as He *The King's Reply.* had expressed a great desire to give Them all possible satisfaction to all their just requests, and a readiness to rectify, or retract, any thing done by himself, which might seem to intrench upon their Privileges by any mistake of his; so he hoped, They would be ready, upon all occasions, to manifest an equal tenderness and regard of his Honour, and Reputation with his Subjects: and therefore, he expected they should review his Message concerning Mr Pym's Speech, and their Answer, with which he could not rest satisfied. He said, he was most assured that no Person, who had Command in the Head of the Rebels, had passed by his Warrant, or Privity. And then, he desired them to consider, whether such a General Information, and Advertisement, as they implied in their Answer, without the name of any particular Person, was a ground enough for such a direct and positive Affirmation, as was made in that Speech; which, in respect of the Place and Person, and being now acknowledged to be according to the sense of the House, was of that Authority, that his Majesty might suffer in the Affections of many of his good Subjects, and fall under a possible construction, considering many scandalous Pamphlets to such a purpose, of not being sensible enough of that Rebellion, so horrid, and odious to all Christians; by which, in that distraction, such a danger might possibly ensue to his Majesty's Person, and Estate, as he was well assured they would endeavour to prevent. And therefore, he thought it very necessary, and expected that they should name those Persons who had passed by his Licence, and
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“were then in the Head of the Rebels: or if, upon their re-
 “examination, they did not find particular Evidence to prove
 “that Assertion (as he was most confident they never could)
 “as that Affirmation, which reflected upon his Majesty, was
 “very Publick, so they would publish such a Declaration,
 “whereby that mistake might be discovered; he being the
 “more tender in that particular which had reference to *Ire-*
 “*land*, and being most assured, that he had been, and was,
 “from his Soul, resolv’d to discharge his duty, for the Relief
 “of his poor Protestant Subjects, and the utter rooting out
 “that Rebellion; so that Service had not suffer’d for the
 “want of any thing propos’d to him, and within his Power
 “to grant.

HE said, “in this matter he had diligently examined his
 “own Memory, and the notes of his Secretaries; and then
 named all the *Irish* Persons to whom he had given any Li-
 cences to go into that Kingdom, since the beginning of that
 Rebellion; and said, “He was well assured, none of Them
 “were with the Rebels; and though some of them might be
 “Papists, yet he had no reason to have any suspicion of them, in
 “respect of their alliance with Persons of great Honour and
 “Power in that Kingdom, of whose Fidelity to him he had
 “good assurance; and the Lords Justices themselves having
 “declared, that they were so far from owning a jealousy of all
 “Papists there, that they had put Arms into the Hands of ti-
 “vers Noblemen of that Religion, within the Pale, which the
 “Parliament had well approved of. And therefore, unless the
 “first Affirmation of the House of Commons could be made
 “good by some particulars, he expected a vindication by such
 “a Declaration as he had propos’d; which, he said, was, in
 “Duty and Justice, due to him.

BUT this, and any thing else could be said, was so far
 from procuring any Reparation, that when they perceived
 the King still press’d for that Justice, and apprehended that
 many would believe it due to him, and that the prejudice
 they had rais’d to him for *Ireland* would be remov’d there-
 by, they confidently published another Declaration of several
 Persons Names, to whom they said the King had granted
 Passes, and were then Commanders in the Rebels Army, of
 whose Names his Majesty had never before heard, to whom
 no Passes had been granted, neither did he believe that there
 were such Men in Nature: and so left the People to believe as
 they found themselves inclined upon the King’s denial, or
 Their so particular, and positive Affirmation.

THESE proceedings of the Parliament made a deep im-
 pression upon all Noble and Generous Persons, who found
 that their Pride, and Ambition was so great, that they re-
 solved

solved to remove all persons, who were like to stand in their way, by opposing any thing they desired, or by filling any Place, or Office, which they design'd should be executed by some other person, in whom they could Confide. The Earl of *New-Castle*, who was Governour to the Prince, knew very well in what prejudice he stood with the Earls of *Essex*, and *Holland* (two very powerful persons) upon the Account of the Challenge formerly mentioned to be sent by him to the latter of the two, who would be glad of any opportunity to expose him to an affront; and that they would find occasions enough upon the account of his known Affections to the King's Service, from which it was not possible to remove or startle him. He knew they liked not that he should have the Government of the Prince, as one, who would infuse such principles into him, as would not be agreeable to their Designs, and would dispose him to no kindness to their Persons, and that they would not rest, till they saw another Man in that Province; in order to which, they would pick all Quarrels they could, and load him with all Reproaches, which might blast him with the People, with whom he had a very good Reputation. Upon those considerations, and some other imaginations upon the prospect of Affairs, he very wisely resolv'd to retire from the Court, where he had expended much of his own Fortune, and only made himself obnoxious to the Malice, and Envy of other pretenders; and desired the King to approve of this his reasonable inclination, and to put the Prince under the Tuition of some Person of Honour of unquestionable Fidelity to him, and above the reach of Popular disapprobation; and, at the same time mention'd the Marquis of *Hertford*, who was indeed Superior to any Temptations. The King could not dislike the Earls Judgement upon his own interest and concernment; and did foresee likewise that he might probably have occasion to use his Service under another qualification; and therefore was well contented to dismiss him from the Prince.

The Earl of New-Castle resigns his place of Governour to the Prince.

THE Marquis of *Hertford* was a Man of great Honour, Interest, and Estate, and of an universal esteem over the whole Kingdom; and though he had receiv'd many, and continued disobligations from the Court, from the time of this King's coming to the Crown, as well as during the Reign of King *James*, in both which seasons, more than ordinary care had been taken to discountenance and lessen his Interest; yet he had carried himself with notable steadiness, from the beginning of the Parliament, in the support and defence of the King's Power and Dignity, notwithstanding all his Allies, and those with whom he had the greatest Familiarity and Friendship, were of the opposite Party; and never concurr'd

The Marquis of Hertford succeeds him.

with

with them against the Earl of *Strafford*, whom he was known not to love, nor in any other extravagancy.

AND then, he was not to be shaken in his Affection to the Government of the Church; though it was enough known that he was in no degree byassed to any great inclination to the Person of any Church-man. And with all this, that Party carried themselves towards him with profound respect, not presuming to venture their own credit in endeavouring to lessen his.

IT is very true, he wanted some of those qualities, which might have been wished to be in a Person to be trusted in the Education of a great, and hopeful Prince, and in forming of his Mind and Manners in so tender an Age. He was of an Age not fit for much Activity and Fatigue, and lov'd, and was even wedded so much to his Ease, that he lov'd his Book above all Exercises; and had even contracted such a Laziness of Mind, that he had no delight in an open and liberal Conversation; and cared not to discourse, and argue on those points, which he understood very well, only for the trouble of contending; and could never impose upon himself the pain that was necessary to be undergone in such a perpetual attendance: but then those lesser duties might be otherwise provided for, and he could well Support the Dignity of a Governour, and exact that diligence from others, which he could not exercise Himself; and his Honour was so unblemished, that none durst murmur against the designation; and therefore his Majesty thought him very worthy of the high Trust, against which there was no other exception, but that he was not Ambitious of it, nor in truth willing to receive and undergo the Charge, so contrary to his natural Constitution. But in his pure Zeal and Affection for the Crown, and the Conscience, that in this conjuncture his submission might Advance the King's Service, and that the refusing it might prove disadvantageous to his Majesty, He very cheerfully undertook the Province, to the general Satisfaction and publick Joy of the whole Kingdom; and to the no little Honour and Credit of the Court, that so important and beloved a Person would Attach himself to it under such a relation, when so many, who had scarce ever eaten any Bread but the King's, Detached themselves from their dependence, that they might without him, and against him, preserve and improve those Fortunes, which they had procured and gotten under him, and by his Bounty.

*The King
proposed to
pass the Bill
against the
Bishops' votes.*

NOW the Bill for the taking away the Votes of Bishops out of the House of Peers, which was called a Bill for taking away all Temporal Jurisdiction from those in holy Orders, was no sooner passed the House of Peers, than the King was earnestly desired

desired "to give his Royal Assent to it. The King return'd, "that it was a matter of great Concernment: and therefore, "He would take time to Advise, and would return an Answer "in convenient time. But this delay pleas'd not their appetite; they could not attempt their perfect Reformation in Church and State, till those Votes were utterly abolished; therefore they sent the same day again to the King, who was yet at *Windſor*, and gave him reasons to perswade him "immediately to consent to it; One of which was the Grievances the Subjects suffer'd by the Bishops exercising of Temporal Jurisdiction, and their making a Party in the Lords House; a Second, the great Content of all sorts by the "happy Conjunction of both Houses in their absence: and a Third, that the passing of that Bill would be a comfortable pledge of his Majesty's gracious Assent to the future Remedies of those Evils, which were to be presented to him, this "once being pass'd.

REASONS sufficient to have Converted Him, if he had the least inclination or propensity to have Concurr'd with Them. For it was, upon the matter, to perswade him to joyn with them in this, because, That being done, he should be able to deny them nothing.

HOWEVER those of greatest Trust about the King, and who were very faithful to his Service, though in this particular exceedingly deceiv'd in their judgements, and not sufficiently acquainted with the Constitution of the Kingdom, perswaded him "that the passing this Bill was the only way "to preserve the Church, there being so united a Combination in this particular, that he would not be able to withstand it. Whereas, by the passing this Bill, so many persons in both Houses would be fully satisfied, that they "would joyn in no further alteration: but, on the other hand, "if they were cross'd in this, they would violently endeavour an Extirpation of Bishops, and a demolishing of the whole Fabrick of the Church.

THEY alledged that he was, upon the matter, deprived "of their Votes already, they being not suffer'd to come to the House, and the Major part in Prison under an accusation "of High Treason, of which there was not like to be any Reformation, till these present Distempers were compos'd; "and then that by his Power, and the memory of the indirect means that had been used against them, it would be easier "to bring them in again, than to keep them in now. They "told him, there were two matters of great Importance press'd upon him for his Royal Assent, but they were not "of equal consequence, and concernment to his Sovereign Power; the First, that Bill touching the Bishops Votes; the "Other,

“Other, the whole Militia of the Kingdom, the granting of
 “which would absolutely divest him of all Regal Power;
 “that he would not be able to deny Both; but by granting
 “the former, in which he parted with no matter of Moment,
 “he would, it may be, not be press’d in the second; or if
 “he were, that as he could not have a more Popular Quarrel
 “to take up Armes, than to defend himself, and to preserve that
 “Power in his hands, which the Law had vested in him, and
 “without which he could not be a King; so he could not
 “have a more Unpopular argument for that Contention, than
 “the preservation of the Bishops in the House of Peers, which
 “few Men thought Essential, and most Men believ’d Preju-
 “dicial, to the Peace and Happiness of the Kingdom.

THESE arguments, though used by Men whom he most
 trusted; and whom he knew to have oppos’d that Bill in its
 passage, and to be cordially Friends to the Church of *England*
 in Discipline and Doctrine, prevail’d not so much with his
 Majesty, as the persuasions of the Queen; who was not only
 perswaded to think those reasons valid (and there are that be-
 lieve that Infusion to have been made in Her by her own
 Priests, by Instructions from *France*, and for reasons of State
 of that Kingdom) but that her own Safety very much de-
 pended upon the King’s consent to that Bill; and that, if
 he should refuse it, Her Journey into *Holland* would be cross’d
 by the Parliament, and possibly her Person in danger either
 by the Tumults, which might easily be brought to *Windjor*
 from *Westminster*, or by the Insurrection of the Countries in
 her passage from thence to *Dover*, where she intended to
 take Shipping. Whereas by her Intercession with the King
 to do it, she would lay a most Seasonable and Popular Obliga-
 tion upon the whole Nation, and leave a pleasant odour of
 her Grace and Favour to the People behind her, which would
 prove much to her advantage in her absence; and she should
 have the Thanks for that Act, as acquired by her goodness,
 which otherwise would be extorted from the King, when she
 was gone.

The King
 passes that
 Bill, and
 the other
 of Pressing
 Feb. 14.

THESE Insinuations and Discourses so far satisfied the
 Queen, and she the King, that, contrary to his most positive
 Resolution, the King consented, and sent a Commission for
 the Enacting both that Bill, and the other about Pressing;
 which was done accordingly, to the great Triumph of the
 Boutefeus, the King sending the same day that he Pass’d those
 Bills, which was the fourteenth of *February*, a Message to
 both Houses; “That he was assured his having Pass’d those
 “two Bills, being of so great importance, so suddenly, would
 “serve to assure his Parliament, that he desired nothing more
 “than the Satisfaction of his Kingdom. For *Ireland*, he said,
 “as

“ as he had Concurr’d in all Propositions made for that Service by his Parliament, so he was Resolv’d to leave nothing undone for their Relief, which should possibly fall within his Power, nor would refuse to venture his own Person in that War, if the Parliament should think it convenient, for the reduction of that miserable Kingdom.

THE passing that Bill for taking away the Bishops Votes, exceedingly weaken’d the King’s Party; not only as it swept away so considerable a number out of the House of Peers, which were constantly devoted to him; but as it made impression on others, whose minds were in suspense, as when Foundations are shaken. Besides, they that were best acquainted with the King’s Nature, Opinions, and Resolutions, had reason to believe, that no exigence could have wrought upon him to have consented to so Anti-Monarchical an Act; and therefore, never after retained any confidence, that he would deny what was Importunately asked; and so, either absolutely withdrew themselves from those consultations, thereby avoiding the envy, and the danger of opposing them, or quietly suffer’d themselves to be carried by the Stream, and to consent to any thing that was Boldly and Lustily attempted.

AND then it was so far from dividing the other Party, that I do not remember Onemen, who vehemently insisted on, or indeed heartily wished, the passing of that Bill, that ever deserted them, till the Kingdom was in a Flame: but on the contrary, very many, who cordially and constantly opposed that Act, as friends rather to Monarchy than Religion, after that Bill, never consider’d or resisted any attempt, or further alteration, in the Church, looking on the Bishops as useless to Sovereignty, and so not of Importance enough to be defended by the Sword. And I have heard the same Men, who urged Before, “ that their places in that House had no relation to the Discipline of the Church, and their Spiritual Jurisdiction, and therefore ought to be Sacrificed to the Preservation of the other, upon which the Peace, and Unity of Religion so much depended, since argue, “ that Since their power in that House, which was a good Out-work to defend the King’s from Invasion, was taken away, any other form of Government would be equally advantageous to his Majesty; and therefore, that he ought not to insist on it, with the least inconvenience to his condition.

BUT that which was above, or equal to all this, was that by his Majesty’s enacting those two Bills, he had, upon the matter, approved the Circumstances of their passage, which had been by direct violence, and almost force of Arms; in which case, he ought not to have confirm’d the most Politick,

rick, or the most Pious Constitutions: *Male posita est Lex, quæ tumultuaria posita est*, was one of those positions of *Aristotle*, which hath Never been since contradicted; and was an advantage, that, being well managed, and stoutly insisted upon, would, in spite of all their Machinations, which were not yet firmly and solidly formed, have brought them to a temper of being Treated with. But I have some cause to believe, that even this Argument, which was Unanswerable for the Rejecting that Bill, was applied for the Confirming it; and an opinion that the violence, and force, used in procuring it, render'd it absolutely Invalid and Void, made the Confirmation of it less consider'd, as not being of strength to make that Act good, which was in it Self Null. And I doubt this Logick had an influence upon other Acts of no less Moment than these: but it was an Erroneous and Unskilful suggestion; for an Act of Parliament, what Circumstances soever concurr'd in the contriving and framing it, will be allways of too great reputation to be avoided, or to be declared Void, by the sole Authority of any Private persons, or the Single power of the King Himself. And though the Wisdom, Sobriety, and Power, of a future Parliament, if God shall ever bless the Kingdom with another Regularly Constituted, may find cause to declare this, or that Act of Parliament, Void; yet there will be the same temper requisite to such a Declaration, as would serve to Repeal it. And it may be Then, many men, who abhorr'd the thing when it was done, for the Manner of doing it, will be of the Civilians opinion, *feri non debuit, factum valet*; and never consent to the Altering of that, which they would never have consented to the Establishing of; neither will that single President of the Judges in the case of King *Henry* the Seventh, when they declared the Act of Attainder to be Void by the Accession of the Crown (though if he had in truth been the person, upon whom the Crown had Lineally and Rightfully descended, it was good Law) find, or make, the Judges of another Age parallel to them, till the King hath as strong a Sword in his hand, and the People as much at his devotion and disposal; and then the Making, and Declaring Law, will be of equal Facility, though, it may be, not of equal Justice. How much soever the King's Friends were, for the reasons aforesaid, dejected upon the passing those two Acts, it is certain, They who thought they got whatsoever He lost, were mightily Exalted, and thought Themselves now Superior to any Opposition: And what returns of duty and acknowledgement they made to the King for that Grace and Favour, is to be remember'd in the next place.

THE same day those two Acts were by his Majesty's Commission

xx this Passage was
evidently made before
the Restoration. xx

million passed, and as soon as a very short Message of thanks for that favour, as much importing the Safety of both Kingdoms, of *England* and *Ireland*, was consented to, an Ordinance for the settling the Militia was agreed on by both Houses, and, together with a list of the Names of such Persons, as for the present they meant to Confide in, was immediately sent to the King for his Approbation; the which, being the most Avowed foundation of all the Miseries that have followed, will be here necessary to be inserted in the very terms and form it was agreed upon, and presented; and was as followeth.

X

An Ordinance of both Houses of Parliament for the ordering of the Militia of the Kingdom of England, and Dominion of Wales.

An Ordinance agreed on by both Houses for settling the Militia.

“WHEREAS there hath been of late a most dangerous and desperate design upon the House of Commons, which we have just cause to believe to be the effect of the bloody Counsels of the Papists, and other ill affected Persons, who have already raised a Rebellion in the Kingdom of *Ireland*, and, by reason of many discourses, we cannot but fear they will proceed, not only to stir up the like Rebellion, and Insurrection in this Kingdom of *England*, but also to back them with Forces from abroad; for the safety therefore of his Majesty’s Person, the Parliament, and Kingdom, in this time of imminent danger, it is ordain’d by the King, the Lords, and Commons, now in Parliament assembled, That
 “shall have power to assemble, and call together all and singular his Majesty’s Subjects within the County of _____ as well within Liberties, as without, that are meet and fit for the Wars, and them to Train, Exercise, and put in readiness, and them, after their Abilities, and Faculties, well and sufficiently, from time to time, to cause to be array’d, and weaponed, and to take the Muster of them in places most fit for that purpose. And
 “shall have power within the said County to nominate, and appoint such persons of Quality, as to him shall seem meet, to be his Deputy Lieutenants to be approved of by both Houses of Parliament: and that any one, or more of the said Deputies, so assign’d and approv’d of, shall in the absence, or by the Command of the said _____ have Power and Authority to do and execute within the County of _____ all such Powers and Authorities before in this present Ordinance contain’d; and shall have power to make Colonels, and Captains, and other Officers, and to remove out of their places, and to make others from time to time,

X

“time, as he shall think fit for that purpose. And
 “his Deputies, Colonels, and Captains, and other Officers,
 “shall have further Power and Authority to Lead, Conduct,
 “and Employ, the persons aforesaid, array’d; and weaponed,
 “as well within the County of _____ as within any
 “other part of this Realm of *England*, or Dominion of *Wales*,
 “for the suppressing of all Rebellions, Insurrections, and In-
 “vasions, that may happen, according as they, from time to
 “time, shall receive directions by his Majesty’s Authority,
 “signified unto them by the Lords and Commons, assembled
 “in Parliament. And it is further Ordain’d, that such, as
 “shall not obey in any of the Premises, shall answer their
 “neglect and contempt to the Lords and Commons, in a Par-
 “liamentary way, and not otherwise, nor elsewhere: and
 “that every the Powers, granted as aforesaid, shall continue,
 “until it shall be otherwise order’d, or declar’d by both Houses
 “of Parliament, and no longer. This to go
 “also to the Dominion *Wales*.

A second Act of the same day, and the only way they took to return their thanks and acknowledgment to the Queen for her intercession, and mediation in the passing those Bills, was the opening a Letter they intercepted, which was directed to her Majesty. The Lord *Digby*; after their Majesty’s going to *Windsor*, when he found in what umbrage he stood with the powerful and prevailing Party, and that they were able to improve his going through a Town in a Coach and fix horses to a Warlike appearance, and so to expose him to the fury of the People, at least to the power of the Counties, to be suppressed, as they had done by their Order, or Proclamation of the twelfth of *January*, before remember’d, and appointed to be read in all Market Towns throughout *England*; concluded for his own security, and to free the King’s Councils from the imputation of his evil influence, to remove himself into some parts beyond the Seas: and so, by the King’s leave, and by his licence, was transported into *Holland*, from whence he writ some Letters to his friends at *London*, to give them an account where he was, and for supplying himself with such accommodations as he stood in need of. Amongst these Letters there was one to his Brother in Law *Sr Lewis Dives*, which, by the treachery of that person, to whose care it was intrusted for conveyance, was brought to the House of Commons: and it being averred, “that it came
 “from the Lord *Digby*, whom they looked upon as a Fugitive, they made no scruple of opening it; and finding another in it directed to the Queen, after a very little pause they did the like; for which they made no other excuse (when upon
 a Message

a Message from the King they sent her the transcript, for the Original they still kept) than, "that having opened the other Letters, and finding in them sundry expressions full of asperity, and malignity to the Parliament, they thought it very probable, that the like might be contained in that to her Majesty; and that it would have been dishonourable to her Majesty, and dangerous to the Kingdom, if it should not have been opened: And they besought the King to persuade her Majesty, that she would not vouchsafe any countenance to, or correspondence with, the Lord Digby, or any other of the Fugitives or Traytors, whose offences were under the examination and judgment of Parliament.

In that Letter to the Queen were these words, "If the King betake himself to a safe place, where he may avow and protect his Servants (from rage I mean and violence; for from justice I will never implore it) I shall then live in impatience, and in misery, till I wait upon you. But if, after all he hath done of late, he shall betake himself to the easiest and complyingest ways of accommodation, I am confident, that then I shall serve him more by my absence, than by all my industry. And in that to *Sr Lewis Drives*, were these words: "God knows, I have not a thought to make me blush towards my Country, much less criminal; but where Traytors have so great a sway, the honestest thoughts may prove most Treasonable. Which gave those, that thought themselves concern'd, so great offence, that within two days after, they accused him of High Treason; and finding no words in the Letter would amount to that offence, they accused him of levying War against the King; which could have relation to no Act of his, but what was before mentioned at *Kingston upon Thames*, when to the terrour of the King's Subjects, he was seen there in a Coach with six Horses. Though this extravagancy of theirs seems to be directed against a particular person, I could not omit it in this place, being accompanied with those circumstances. And it may be, posterity may look upon the severe prosecution of a young Noble man of admirable parts, and eminent hopes, in so implacable a manner, as a most pertinent instance of the Tyranny, and Injustice of that time, not possible to end, but in so much wickedness as hath since been practised.

A THIRD Act of that day was the carrying up an Impeachment to the Lords against the King's Attorney General, for maliciously advising and contriving the Articles upon which the Lord *Kimbolton*, Mr *Hollis*, Mr *Pym*, Mr *Hambden*, Mr *Strode*, and *Sr Arthur Haslerig*, had been accused by his Majesty of High Treason; it being not thought security and reparation enough, that the King had waved any

The Attorney General is impeach'd by the Commons.

further proceeding against them, except they left such a monument of their power, that, upon what occasion or provocation soever, no man should presume to obey the King in the like command: so that the same fourteenth of *February*, that was celebrated for the King's condescension to that Act for putting the Bishops out of the House of Peers, is famous likewise for those three Unparalleled Acts of contempt upon the Sovereign power; the demand of the sole power over all the Militia of the Kingdom; the opening Letters directed to the Sacred person of the Queen; and the impeaching the Attorney General, for performing, what he took to be the duty of his place, by his Master's command. All which were very ill instances of that application and compliance his Majesty had reason to expect, and some men had promised him he should receive.

The King's
answer con-
cerning the
Militia.

THOUGH the King was resolved in no degree to consent to the Proposition for the Militia, yet he thought not the time seasonable for his positive Denial, the Queen retaining still her fears of being stopped in her Journey. Therefore, for the present, he returned Answer; "that his dearest Consort the Queen, and his dear Daughter the Princess *Mary*, "being then, upon their departure for *Holland*, he could not "have so good time to consider of a particular answer for a "matter of so great weight, as That was; and therefore, he "would respite the same till his return: the King intending to accompany the Queen to *Dever*, and as soon as she was embarked to return. They received this Answer with their usual impatience, and the next day sent Messengers to him, with that, which they called an Humble Petition; in which they told him, "that they had, with a great deal of grief, "received his Answer to their just and necessary Petition concerning the Militia of the Kingdom; which, by a gracious "Message formerly sent unto them, he had been pleased to "promise should be put into such hands, as his Parliament "should approve of, the extent of their power, and the time "of their continuance, being likewise declared; the which "being now done, and the persons Nominated, his Majesty "nevertheless reserved his resolution to a longer, and a very "uncertain time; which, they said, was as unsatisfactory and "destructive as an absolute Denial: Therefore, they once "again besought him to take their desire into his Royal "thoughts, and to give them such an Answer, as might raise "in them a Confidence, that they should not be exposed to "the practices of those who thirst after the ruin of this Kingdom, and the kindling of that combustion in *England*, "which they had in so great a measure effected in *Ireland*; "from whence, as they were informed, they intended to "invade

Their reply.

“invade this Kingdom, with the assistance of the Papists here.
 “They said, nothing could prevent those evils, nor enable
 “them to suppress the Rebellion in *Ireland*, and secure Them-
 “selves, but the instant granting of that their Petition; which,
 “they hoped, his Majesty would not deny to those, who
 “must, in the discharge of their duty to his Majesty and the
 “Common-wealth, represent unto him, what they found so
 “absolutely necessary for the preservation of both; which
 “the Laws of God and man enjoined them to see put in exe-
 “cution, as several Counties by their daily Petitions desired
 “Them to do, and in some places begun already to Do it of
 “Themselves. Notwithstanding all that importunity, the
 “King made no other Answer than formerly he had done,
 “that he would give a full Answer at his return from *Dover*.

IN the mean time, the House of Commons, to whom every day Petitions are directed by the several Counties of *Eng-land*, professing all Allegiance to them, govern Absolutely, the Lords concurring, or rather submitting, to whatsoever is proposed; inasmuch as when they had bailed the twelve Bishops, who were in the Tower for the Treason of their Protestation, which they did the next day after the Bill was passed for taking away their Votes, the House of Commons in great indignation expostulated with them, and caused them immediately again to be recommitted to the Tower. So they gave their private intimations to their Correspondents in the Counties, that they should make small entries upon the Militia; which was done in many places, the people choosing their Officers, and Lifting themselves, and so Training and Exercising under the name of Volunteers; whereby they had opportunity to unite themselves, to know their Confederates, observe those who were of other opinions, and to provide Armes and Amunition against they should have occasion. The Tower of *London* was at their Devotion, and *Hull* was their own; the Mayor of that place having been lately sent for and reprehended, for having said, “that they ought not to have Soldiers billeted upon them by the Petition of Right, and for refusing to submit that Town, which was His charge, to the Government of Mr *Hotburn*; and after a tedious and chargeable attendance, without being brought to a publick hearing, he was perswaded to submit; and so was discharged.

THEN they fell to raising of money under pretence of the relief of *Ireland*, and, for that purpose, prepared “an Act for the payment of four hundred thousand pounds to such persons as were Nominated by themselves, and to be disbursed and issued in such manner, and to such uses, as the two Houses should direct, which the King confirmed ac-

“ cordingly; whereby they had a stock of credit to raise monies, whensoever they found themselves put to it: And this could not be prevented; for the King having committed the carrying on the War of *Ireland* to them, and they being engaged both for the payment of the arrears to the Officers of the Northern Army disbanded the Summer before, and of the three hundred thousand pounds to the *Scots*, his Majesty was necessitated to pass the Act with such General clauses, that it might be in their power to divert the money to other uses than those to which it was given; as it afterwards fell out.

*The Queen
shipped for
Holland,
the King
returns
to Green-
wich, where
the Prince
meets him.*

THE Queen being shipped for *Holland*, his Majesty returned to *Greenwich*, whither he had sent to the Marquis of *Hertford* to bring the Prince of *Wales* from *Hampton-Court* to meet him; of which as soon as the Houses were advertised, they sent a Message to the King, who was upon his way from *Dover*, to desire him, “ that the Prince might not be removed from *Hampton-Court*, for that they conceived his removal “ at That time, might be a cause to promote Jealousies and “ Fears in the hearts of his good Subjects, which they thought “ necessary to avoid; and, at the same time, sent an express Order to the Marquis of *Hertford*, “ to require him not “ to suffer the Prince to go to *Greenwich*; but his Lordship, choosing rather to obey the King’s commands than Theirs, carried his Highness to his Father; of which the Houses no sooner were informed, than they sent some Members of both Houses to *Greenwich* “ to bring the Prince from thence to *London*. But when they came thither, they found the King, whom they did not expect there; and so made no attempt to perform that Command. The reason of this extravagancy (besides their natural humour to affront the King, and this seeming care of the Prince was a Popular thing) was pretended to be an information they had received from a Member of the House.

THERE was one *Griffith*, a young Welsh-man, of no parts or reputation, but for eminent Licence; this youth had long, with great boldness, followed the Court, and pretended to preferment there; and so in the House had always opposed, as far as not consenting, all the undutiful Acts towards the King, and, upon this stock of merit, had pressed more confidently for a reward; and, when the Queen was ready to take shipping at *Dover* for *Holland*, he barefaced importuned her to mediate to the King, “ that he might be forthwith admitted of the Prince’s Bed-Chamber; the which her Majesty refusing, he told his Companions, “ that since he could “ not render himself considerable by doing the King Service, “ he would be considerable by doing him Diservice: and so made great haste to *London*, and openly in the House told them

them (the same day that the Prince was to go to *Greenwich*) "that if they were not exactly careful, they would speedily "lose the Prince; for, to His knowledge, there was a design and resolution immediately to carry him into *France*. From which senseless and groundless information, he was taken into their favour; and, his Malice supplying the defect of other parts, was thenceforth taken into Trust, and used as their *Bravo* to justify all their Excesses in Taverns and Ordinaries. And I saw Mr *Hambden*, shortly after this discovery, take him in his arms, telling him, "his Soul rejoiced to see, "that God had put it into his Heart to take the right way.

To their Message the King sent them word, "That to "their Fears and Jealousies he knew not what Answer to "give, not being able to imagine from what grounds they "proceeded; but if any information had been given to them "to cause those apprehensions, he much desired the same "might be examined to the bottom; and then he hoped that "their Fears and Jealousies would be hereafter continued "only with reference to his Majesty's Rights and Honour.

THE Queen being gone, and the Prince come to his Father at *Greenwich*, the King sent an Answer to the two Houses concerning the Militia; "that having, with his best care and "understanding, perused and considered that, which had been "sent him from both Houses, for the ordering the Militia to "be made an Ordinance of Parliament by the giving his Royal Assent, as he could by no means do it for many reasons, "so he did not conceive himself obliged to it by any promise made to them in his Answer to their former Petition. He said, he found great cause to except against the Preface, "or Introduction to that Order; which confessed a most dangerous and desperate design upon the House of Commons "of late, supposed to be an effect of the bloody Counsels of "Papists, and other ill affected Persons, by which many might "understand (looking upon other Printed Papers to that purpose) his own coming in Person to the House of Commons on the fourth of *January*, which begot so unhappy a misunderstanding between him and his People. And for "that, though he believ'd it, upon the information since "given him, to be a breach of their Privileges, and had offered, and was ready, to repair the same for the future, by "any Act should be desired from his Majesty; yet he must declare, and require to be believed, that he had no other design upon that House, or any Member of it, than to require, as he did, the Persons of those five Gentlemen he "had before accused of High Treason, and to declare that "he meant to proceed against them legally, and speedily; "upon which he believ'd that House would have delivered "them up.

*The King's
further Answer
concerning the
Militia.*

“HE called the Almighty God to witness, that he was so far from any intention, or thought of Force or Violence, although that House had not delivered them according to his demand; or in any case whatsoever, that he gave those his Servants, and others, who then waited on his Majesty, express charge and command, that they should give no offence unto any Man; nay if they received any provocation or injury, that they should bear it without return; and he neither saw, nor knew, that any Person of his train had any other weapons, but his Pensioners and Guard, those with which they usually attend his Person to Parliament; and the other Gentlemen, Swords. And therefore he doubted not, but the Parliament would be regardful of his Honour therein, that he should not undergo any imputation by the rash and indiscreet expressions of any young Men then in his train, or by any desperate words utter’d by others, who might mingle with them without his Consent or Approbation.

“FOR the Persons nominated to be the Lieutenants of the several Counties of *England* and *Wales*, he said he was contented to allow that recommendation; only concerning the City of *London*, and such other Corporations as by ancient Charters had granted to them the Power of the Militia, he did not conceive that it could stand with Justice or Policy to alter their Government in that particular. And he was willing forthwith to grant to every one of them, that of *London* and other Corporations excepted, such Commissions as he had granted this Parliament to some Lords Lieutenants by their advice. But if that Power were not thought enough, but that more should be thought fit to be granted to those Persons named, than, by the Law, is in the Crown it self, he said, he thought it reasonable that the same should be by some Law first vested in him, with Power to transfer it to those Persons; which he would willingly do: and whatever that Power should be, to avoid all future doubts and questions, he desired it might be digested into an Act of Parliament, rather than an Ordinance; so that all his Subjects might thereby particularly know, both what they were to do, and what they were to suffer for their neglect; that so there might be the least latitude for them to suffer under any Arbitrary Power whatsoever.

“TO the time desired for the Continuance of the powers to be granted, he said, he could not consent to divest himself of the just Power, which God, and the Laws of the Kingdom, had placed in him for the defence of his People, and to put it into the hands of others for any indefinite time. And since the ground of their request to him was to
“secure

“secure their present Fears and Jealousies, that they might
 “with safety apply themselves to his Message of the 20th of Ja-
 “nuary, he hoped that his Grace to them since that time, in
 “yielding to so many of their desires, and in agreeing to the
 “Persons now recommended to him, and the Power before
 “expressed to be placed in them, would wholly dispel
 “those Fears and Jealousies; and he assured them, that as he
 “had apply’d this unusual remedy to their doubts; so, if
 “there should be cause, he would continue the same to such
 “time, as should be agreeable to the same care he now ex-
 “pressed towards them.

“HE said, he was so far from receding from any thing
 “he had promised, or intended to grant in his former An-
 “swer, that he had hereby consented to all that had been then
 “asked of him by that Petition, concerning the Militia of
 “the Kingdom, except that of *London* and the other Corpo-
 “rations; which was, to put the same into the hands of such
 “Persons, as should be recommended to him by both Houses
 “of Parliament. And he doubted not but they, upon well
 “weighing the particulars of that his Answer, would find
 “the same more satisfactory to their ends, and the Peace and
 “Welfare of all his good Subjects, than the way proposed by
 “that intended Ordinance; to which, for those reasons, he
 “could not consent.

“AND whereas he observed by their late Petition, that in
 “some places, some Persons begun already to intermeddle of
 “themselves with the Militia, he said, he expected his Par-
 “liament should examine the particulars thereof, it being a
 “matter of high concernment, and very great consequence.
 “And he required, that if it should appear to them, that any
 “Person whosoever had presumed to Command the Militia
 “without lawful Authority, they might be proceeded against
 “according to Law.

IT seems this was not the Answer they promised them-
 selves; for, at the publishing it, they were marvellously trans-
 ported, and immediately Voted, both Houses concurring in it, *Yotes of both Houses upon it.*
 “That those who advised his Majesty to give that Answer,
 “were Enemies to the State, and mischievous projectors a-
 “gainst the defence of the Kingdom: That that denial was
 “of that dangerous Consequence, that if his Majesty should
 “persist in it, it would hazard the Peace and Safety of all
 “his Kingdoms, unless some speedy Remedy were apply’d by
 “the Wisdom, and Authority of both Houses of Parliament:
 “And that such parts of the Kingdom, as had already put
 “themselves into a posture of Defence against the Common
 “Danger; had done nothing but what was justifiable, and was
 “approved by both Houses. And having caused these, and
 such

*A Petition
of both
Houses to
the King at
Theobalds.*

such other Resolutions to be immediately published in Print, that their Friends abroad might know what they had to do, they sent a Committee of both Houses to the King at Theobalds with another Petition; in which they told him, "That their just apprehensions of Sorrow and Fear, in respect of the Publick Dangers and Miseries like to fall upon his Majesty and the Kingdom, were much increased upon the receipt of his unexpected denial of their most Humble and Necessary Petition concerning the Militia of the Kingdom; and that they were especially griev'd, that wicked and mischievous Counsellors should still have that Power with him, as in that time of approaching and imminent Ruin, he should rather incline to that, which was apt to further the accomplishment of the desires of the most Malignant Enemies of God's true Religion, and of the Peace and Safety of himself, and his Kingdom, than to the Dutiful and Faithful Counsel of his Parliament. Wherefore, they said, they were enforced in all Humility to protest, that, if his Majesty should persist in that denial, the dangers and distempers of the Kingdom were such, as would endure no longer delay: but unless he should be graciously pleased to assure them by those Messengers, that he would speedily apply his Royal Assent to the satisfaction of their former desires, they should be enforced, for the Safety of his Majesty and his Kingdom, to dispose of the Militia by the Authority of both Houses, in such a manner as had been propounded to him; and they resolv'd to do it accordingly.

THEY likewise most Humbly besought his Majesty to believe, that the dangerous and desperate design upon the House of Commons, mentioned in their Preamble, was not inserted with any intention to cast the least aspersion upon his Majesty; but therein they reflected upon that Malignant Party, of whose Bloody and Malicious practices they had so often experience, and from which they could never be secure, unless his Majesty would be pleased to put from him those wicked and unfaithful Counsellors, who interposed their own corrupt and malicious designs, betwixt his Majesty's Goodness and Wisdom, and the prosperity and contentment of himself, and of his People: And that for the dispatch of the great Affairs of the Kingdom, the Safety of his Person, the Protection and Comfort of his Subjects, he would be pleased to continue his abode near to London, and the Parliament; and not to withdraw himself to any the remoter parts, which if he should do, must needs be a cause of great danger and distraction.

THAT He would likewise be graciously pleased to continue the Prince's Highness in those parts at *St James's*,
"or

“or any other of his Houses near *London*; whereby the designs, which the Enemies of the Religion, and Peace of the Kingdom might have upon his Person, and the Jealousies and Fears of his People might be prevented.

“AND they besought him to be inform’d by them, that, by the Laws of the Kingdom, the Power of raising, ordering, and disposing of the Militia within any City, Town, or other Place, could not be granted to any Corporation by Charter, or otherwise, without the Authority and Consent of Parliament: And that those parts of the Kingdom, which had put themselves in a posture of Defence against the Common danger, had therein done nothing but according to the Declaration and Direction of both Houses, and what was justifiable by the Laws of the Kingdom. All which their most humble Counsel and Desires they prayed him to accept, as the effect of that Duty and Allegiance, which they owed unto him, and which would not suffer them to admit of any thoughts, intentions, or endeavours, but such as were necessary and advantageous for his Greatness, and Honour, and the Safety, and Prosperity of the Kingdom, according to that Trust and Power which the Laws had reposed in them.

AS SOON as the Petition was read, the King told them *The King's* that presented it, “That he was so much amazed at their Message, *present* *four.* that he knew not what to Answer. He said, they spoke of Jealousies, and Fears, but he desired them to lay their hands to their hearts, and ask themselves, whether He might not likewise be disturbed with Fears and Jealousies? and if so, he assured them, that Message had nothing lessened them.

“FOR the Militia, he said, he had thought so much of it before he sent his Answer, and was so well assured that the Answer was agreeable to what, in justice or reason, They could ask, or He in Honour grant, that he should not alter it in any point.

“FOR his Residence near them, he said, he wished it might be so Safe and Honourable, that he had no cause to absent himself from *White-Hall*: He bid them ask themselves, whether he had not? For his Son, “He said, he should take that care of him, which should justify him to God, as a Father; and to his Dominions, as a King. To conclude, he assured them upon his Honour, that he had no thought but of Peace, and Justice to his People; which he would by all fair means seek to preserve and maintain, relying upon the Goodness and Providence of God for the preservation of himself, and his Rights.

THIS being suddenly, and with more than usual quickness

The Resolution of both Houses upon it.

ness spoken by the King, much appall'd them; but they were too far engaged to retire; and therefore, as soon as it was reported to the Houses, they resolv'd, upon Debate, "that the Kingdom should be forthwith put into a posture of Defence, "by Authority of both Houses, in such a way as had been "formerly agreed upon by both Houses; and that a Declaration should be speedily sent unto the King, containing the "causes of their just Fears and Jealousies, and to make it evident that any that were entertained against Them were "groundless; Ordering at the same time, "that all the Lords "Lieutenants of any Counties in *England*, who had been "formerly so constituted by the King by his Commissions "under the great Seal of *England*, should immediately bring "in those Commissions to be cancelled as illegal: Albeit some such Commissions had been granted, upon their own desire, since the beginning of the Parliament, as particularly to the Earl of *Essex* to be Lord Lieutenant of *York-shire*, and to the Earl of *Salisbury* for *Dorset-shire*.

They send to the Earl of Northumberland to provide a Fleet.

THEN both Houses sent to the Earl of *Northumberland*, being High Admiral of *England*, "that they had receiv'd advertisement of extraordinary preparations made, by the "Neighbouring Princes, both by Land and Sea; by which an apprehension was raised in both Houses, that the publick "Honour, Peace, and Safety of his Majesty, and his Kingdom, "could not be secured, unless a timely course was taken for "the putting the Kingdom into a condition of Defence at "Sea, as well as at Land: and they did therefore Order him "forthwith to give effectual direction that all the Ships belonging to his Majesty's Navy, and fit for Service, and not "already abroad, or design'd for the Summers Fleet, should "be Rigged, and put in such a readiness, as that they might "be soon fitted for the Sea: and that his Lordship would also "make known to the Masters, and Owners of other Ships, "in any of the Harbours of the Kingdom, as might be of use "for the Publick Defence, that it would be an acceptable "Service to the King and Parliament, if they would likewise "cause their Ship to be Rigged, and so far put into a readiness, as they might, at a short warning, likewise be set to "Sea upon any emergent occasion; which would be a means "of great Security to his Majesty and his Dominions. To which the Earl return'd an Answer full of Submission and Obedience.

I HAVE been assured from Persons of very good Credit, and conversant with those Councils, that they had in deliberation and debate to send, and take the Prince from his Father at *Theobalds* by force; but that design was quickly laid aside, when they heard that the King was removed from
thence

thence to *New-Market*, and was like to make a further progress. So they used all possible expedition in preparing their Declaration; which they directed to his Majesty, and in which they told him, "that although that Answer, he had given to their Petition at *Theobalds*, did give just cause of sorrow to them; yet it was not without some mixture of Confidence and Hope, considering those expressions proceeded from the misapprehensions of their Actions and Intentions; which, having no ground of truth or reality, might, by his Justice and Wisdom, be removed, when he should be fully inform'd, that those Fears and Jealousies of theirs, which his Majesty thought to be causeless, and without any just ground, did necessarily and clearly arise from those dangers and distempers, into which the mischievous and evil Councils about him had brought the Kingdom. And that those other Fears and Jealousies, by which his Favour, his Royal Presence, and Confidence, had been withdrawn from his Parliament, had no foundation, or subsistence in any Action, Intention, or Miscarriage of theirs; but were merely grounded upon the falshood and malice of those who, for the supporting and fomenting their own wicked designs against the Religion, and Peace of the Kingdom, did seek to deprive his Majesty of the strength, and the affection of his People; and Them of his Grace and Protection; and thereby, to subject both his Person, and the whole Kingdom, to Ruin and Destruction.

Their Declaration to his Majesty.

"THAT to satisfy his Majesty's Judgement and Conscience in both those Points, they desired to make a free, and clear Declaration of the causes of their Fears and Jealousies, in some particulars.

1. "THAT the design of altering Religion, in this and his other Kingdoms, had been potently carried on, by those in greatest Authority about him, for divers years together: and that the Queen's Agent at *Rome*, and the Pope's Agent, or Nuntio, Here, were not only evidences of that design, but had been great Actors in it.

2. "THAT the War with *Scotland* was procured to make way for that intent, and chiefly fomented by the Papists, and others Popishly affected, whereof they had many evidences, especially their free and general contribution to it.

3. "THAT the Rebellion in *Ireland* was framed, and contrived, here in *England*; and that the *English* Papists should have risen about the same time, they had several testimonies and advertisements from *Ireland*; and that it was a common Speech amongst the Rebels (with which, they said, other evidences did Concur, as the information of a Minister who came out of *Ireland*; the Letter of one *Tri-*
"fram

"*from Whetcomb in Ireland to his Brother in England*, and
 "many others) that they would recover unto his Majesty
 "his Royal Prerogative, wrested from him by the Puritan
 "Faction in the Houses of Parliament in *England*; and would
 "maintain Episcopal Jurisdiction, and the lawfulness thereof;
 "which, they said, were the two quarrels, upon which his
 "late Army in the North should have been incensed against
 "them.

X 4. "THE cause they had to doubt that the late design,
 "styl'd the Queen's Pious Intention, was for the alteration of
 "Religion in this Kingdom, for success whereof the Pope's
 "Nuncio (the Count *Rozetti*) enjoyn'd Fasting and Praying
 "to be observ'd every week by the *English* Papists; which,
 "they said, appear'd to them by one of the original Letters
 "directed by him to a Priest in *LANCASHIRE*.

X 5. "THE boldness of the *Irish* Rebels in affirming they
 "do nothing but by Authority from the King; that they call
 "themselves the Queen's Army; that the prey and booty
 "they take from the *English*, they mark with the Queen's
 "mark; that their purpose was to come into *England*, when
 "their business was done in *Ireland*; and sundry other things
 "of that kind, which, they said, were prov'd by one *O'Connell*,
 "and others; but especially in the forementioned Letter from
 "*Tristram Whetcomb*, wherein there was this passage, that many
 "other Speeches they utter, concerning Religion, and our
 "Court of *England*, which he dares not commit to Paper.

ice p 461. 6. "THE many attempts to provoke his late Army, and
 "the Army of the *Scots*, and to raise a Faction in the City of
 "*London*, and other parts of the Kingdom. That those who
 "had been Actors in these businesses, had their dependence,
 "their countenance, and encouragement, from the Court;
 "witness the Treason, whereof Mr *Fermyn*, and others, stood
 "accused; who, they said, was transported beyond Seas by
 "Warrant under his Majesty's own hand, after he had given
 "assurance to his Parliament, that he had laid a strict Com-
 "mand upon his Servants, that none of them should depart
 "from Court. And that dangerous Petition delivered to
 "Captain *Leg* by his Majesty's own hand, accompanied with
 "a direction Sign'd with C. R.

7. "THE false and scandalous accusation against the Lord
 "*Kimbolton*, and the five Members of the House of Com-
 "mons, tender'd to the Parliament by his own Command,
 "and endeavour'd to be justify'd in the City by his own Pre-
 "sence and Perswasion, and to be put in execution upon their
 "Persons by his demand of them in the House of Commons,
 "in so terrible and violent a manner, as far exceeded all for-
 "mer breaches of Privileges of Parliament acted by his Ma-
 "jesty,

“ jeſty, or any of his Predeceſſors: and they ſaid, whatever
 “ his own intentions were, divers bloody and deſperate Per-
 “ ſons, that attended him, diſcovered their affections, and re-
 “ ſolutions, to have Maſſacre’d and deſtroyed the Members of
 “ that Houſe, if the abſence of thoſe perſons accuſed had
 “ not, by God’s providence, ſtop’d the giving that word,
 “ which they expected for the ſetting them upon that barba-
 “ rous and bloody Act: The liſting of Officers, and Soldiers,
 “ for a Guard at *White-Hall*, and ſuch other particulars.

8. “ THAT, after a Vote had paſſed in the Houſe of Com-
 “ mons, declaring that the Lord *Digby* had appear’d in a War-
 “ like manner at *Kiſton* upon *Thames*, to the terrour and
 “ affright of his Maſteſty’s good Subjects, and diſturbance of
 “ the publick Peace of the Kingdom, he ſhould nevertheleſs
 “ be in that credit with his Maſteſty, as to be ſent away by
 “ his Maſteſty’s own Warrant to *St. J. Pennington* to land him
 “ beyond Seas: from whence he vented his own Trayterous
 “ conceptions, that his Maſteſty ſhould declare himſelf, and
 “ retire to a place of ſtrength; as if he could not be ſafe
 “ amongſt his People. Which falſe and malicious counſel, and
 “ advice, they ſaid, they had great cauſe to doubt, made too
 “ deep an impreſſion upon his Maſteſty, conſidering the courſe
 “ he was pleaſed to take of abſenting himſelf from his Parlia-
 “ ment, and carrying the Prince with him; which ſeemed to
 “ expreſs a purpoſe in his Maſteſty to keep himſelf in a readi-
 “ neſs for the acting of it.

9. “ THE many advertiſements they had from *Rome, Pa-
 “ ris, Venice*, and other parts, that they ſtill expected that his
 “ Maſteſty had ſome great deſign in hand, for the altering of
 “ Religion, and the breaking the neck of his Parliament.
 “ That the Pope’s Nuntio had ſolicited the Kings of *France*,
 “ and *Spain*, to lend his Maſteſty four thouſand Men apiece,
 “ to help to maintain his Royalty againſt the Parliament.
 “ And they ſaid, as that Forreign Force was the moſt perniti-
 “ cious, and Malignant deſign of all the reſt; ſo they hoped
 “ it was, and ſhould allways be, fartheſt from his Maſteſty’s
 “ thoughts; becauſe no Man would believe he would give up
 “ his People, and Kingdom, to be ſpoil’d by Strangers, if
 “ he did not likewise intend to change both his own Profeſ-
 “ ſion in Religion, and the Publick profeſſion of the King-
 “ dom, that ſo he might be ſtill more aſſured of thoſe For-
 “ reign States of the Popiſh Religion for their future Support,
 “ and Defence.

“ THESE, they ſaid, were ſome of the grounds of their
 “ Fears and Jealouſies, which had made them ſo earneſtly im-
 “ plore his Royal Authority, and Protection, for their De-
 “ fence and Security, in all the ways of Humility and Sub-
 “ miſſion;

“ mission ; which being denied by his Majesty, seduced by
 “ evil Counsel, they did, with sorrow for the great and un-
 “ avoidable misery and danger, which was thereby like to
 “ fall upon his own Person, and his Kingdoms, apply them-
 “ selves to the use of that Power for the security and defence
 “ of both, which, by the fundamental Laws and Constitutions
 “ of the Kingdom, resided in them ; yet still resolving to keep
 “ themselves within the bounds of Faithfulness, and Allegiance
 “ to his Sacred Person, and Crown.

“ To the Fears and Jealousies expressed by his Majesty,
 “ when he said, that for his Residence near the Parliament, he
 “ wished it might be so safe and honourable, that he had no
 “ cause to absent himself from *White-Hall* : That, they said,
 “ they took as the greatest breach of Privilege, that could be
 “ offer’d ; as the heaviest misery to Himself, and imputation
 “ upon Them, that could be imagined, and the most mis-
 “ chievous effect of evil Counsels ; it rooted up the strongest
 “ Foundation of the safety, and honour, the Crown afforded ;
 “ it seem’d as much as might be, they said, to cast upon the
 “ Parliament such a Charge, as was inconsistent with the na-
 “ ture of that great Council, being the Body, of which his
 “ Majesty was the Head ; it struck at the very Being both of
 “ the King and Parliament, depriving his Majesty, in his own
 “ apprehension, of Their Fidelity, and Them of His Prote-
 “ ction ; which are the natural bonds and supports of Go-
 “ vernment, and Subjection.

“ THEY said, they had, according to his Majesty’s desire,
 “ laid their hands upon their hearts ; they had asked them-
 “ selves in the strictest examination of their Consciences ; they
 “ had searched their affections, their thoughts, considered
 “ their actions ; and they found none, that could give his
 “ Majesty any just occasion to absent himself from *White-Hall*,
 “ and his Parliament ; but that he might, with more honour
 “ and safety, continue There, than in any other place. They
 “ said, his Majesty laid a General Tax upon them : if he
 “ would be graciously pleas’d to let them know the Particu-
 “ lars, they should give a clear and satisfactory Answer. But,
 “ they said, they could have no hope of ever giving his Ma-
 “ jesty satisfaction, when those Particulars, which he had
 “ been made believe were true, yet, being produced, and
 “ made known to them, appeared to be false ; and his Ma-
 “ jesty notwithstanding would neither punish, nor produce
 “ the Authors, but go on to contract new Fears and Jealou-
 “ sies, upon General and Uncertain grounds ; affording them
 “ no means, or possibility of Particular Answer to the clearing
 “ of themselves, of which they gave him these Instances.
 “ 1. The Speeches pretended to be spoken at *Kensington* con-
 “ cerning

cerning the Queen, which had been denied and disavowed; yet his Majesty had not named the Authors. 2. The Charge and Accusation of the Lord *Kimbolton*, and the five Members, who refused no Tryal or Examination, which might stand with the Privileges of Parliament; yet no Authors, no Witnesses, were produced, against whom they might have reparation for the great injury, and infamy cast upon them.

THEY besought his Majesty to consider in what State he was, how easy and fair a way he had to Happiness, Honour, Greatness, and Plenty, and Security, if he would joyn with his Parliament, and his faithful Subjects, in the defence of the Religion, and the Publick Good of the Kingdom. That, they said, was all they expected from him, and for that, they would return to him their Lives, Fortunes, and utmost endeavours to support his Majesty, his just Sovereignty, and Power over them. But, they said, it was not Words that could secure them in those their Humble desires; they could not but too well and sorrowfully remember, what gracious Messages they had from him the last Summer; when, with His privy, the bringing up of the Army was in agitation: They could not but with the like affections, recall to their minds, how, not two days before he gave direction for the aforementioned Accusation, and his own coming to the Commons House, that House received from him a Gracious Message, that he would always have care of Their Privileges, as of his Own Prerogative; and of the safety of Their Persons, as of his Own Children.

THEY said, that which they expected, and which would give them assurance that he had no thought but of Peace, and Justice to his People, must be some real effect of his Goodness to them, in granting those things, which the present necessity of the Kingdom did enforce them to desire. And in the first place, that he would be Graciously pleased to put from him those wicked, and mischievous Counsellors, which had caused all those dangers, and distractions; and to continue his own Residence, and the Prince's, near London, and the Parliament, which, they hoped, would be a happy beginning of Contentment, and Confidence between Him and his People; and be followed with many succeeding Blessings of Honour and Greatness to his Majesty, and of Security and Prosperity to Them.

IN the Debate of this Declaration, the like whereof had never before been heard of in Parliament, in which they took his Majesty's doubt of his safety at *White-Hall* so heavily, that, they said, "it seemed to cast such a charge upon the Parliament,

"ment, as was inconsistent with the nature of that great Council (so apprehensive they were of the least suspicion of want of freedom) the Prevalent Party carried themselves with that pride, and impetuosity, that they would endure no opposition or dispute ; insomuch as *Sr Ralph Hopton* (who indeed was very grievous to them for not complying with them) for objecting against some sharp expressions in the Declaration (before it passed the House, and when the Question was, whether it should pass) as being too distant from that reverence, which ought to be used to the King ; and for saying, upon a Clause, in which they mentioned their General Intelligence from *Rome, Venice, Paris*, and other places, of some design the King had upon Religion, and the Parliament, from whence they seemed to conclude that the King would change his Religion, " That they seemed to ground an opinion of the King's Apostacy upon a less evidence, than would serve to hang a Fellow for stealing a Horse, was committed to the Tower of *London*, " for laying an imputation upon that Committee, which had drawn up the Declaration. Notwithstanding which, after they had imprison'd him, they thought fit to make That expression less gross, and positive ; though as it is set down above (in which words it passed, and was delivered to the King) it was thought by standers by to be very unagreeable to the Gravity of a wise Court, and to the Duty of Subjects.

BUT in this particular, in oppressing all those who were of different opinions from them, their carriage was so notorious and terrible, that Spies were set upon, and inquiries made upon all private, light, casual discourses, which fell from those who were not Gracious to them : As *Mr Trelawney*, a Member of the House of Commons, and a Merchant of great reputation, was expelled the House, and committed to Prison, for having said, in a Private discourse in the City, to a Friend, " that the House could not appoint a Guard for themselves without the King's consent, under pain of High Treason : Which was proved by a Fellow, who pretended to overhear him ; when the Person himself, with whom the conference was held, declared, " that he said, it Might be imputed to them for High Treason : and it was confessed on all parts, that the words were spoken long before the discovery, and some days before the House had Resolved, " that they would have a Guard. And afterwards, upon the old stock of their dislike, when the War begun to break out, they again imprisoned this honest Gentleman ; seized upon all his Estate, which was very good ; and suffer'd him to dye in Prison for want of ordinary relief, and refreshment.

AND in this very time, we speak of, and in the very business

fines of the Militia, when every day very great multitudes of Petitions from most of the Counties of *England*, and from the City of *London*, were presented to both Houses, to desire they might be put into a posture of defence; and that they would cause the Ordinance for the Militia to be speedily executed, which was alledged to be an instance of the people's desire throughout the Kingdom, and the chief ground of their proceeding; the most substantial Citizens of *London* both in reputation, and Estate, finding that the Militia of that City, with which by their Charter, and Constant Practice, the Lord Mayor had been always intrusted, was now with a most extravagant power to be committed to a Number of Factious persons of the City, part of whom consisted of men of no fortune, or reputation, resolved to Petition both Houses "not to alter the original constitution, and right of their City: and, to that purpose, a Petition was signed by some hundreds, and very probably would in few days have been subscribed by all, or most of the substantial Citizens of *London*. The House had notice of this Petition, which they called another Conspiracy and Plot against the Parliament, and immediately employed a Member of their own to procure a sight of it; who, under a trust of redelivering it, got it into his hands, and brought it to the House of Commons; upon which, some principal Citizens, who had subscribed it, were examined, and committed to Prison; and a direction given, that a Charge, and Impeachment should be prepared against the Recorder of *London*, who, they heard, had been of Council in the drawing up, and preparing that Petition, and, they knew, was opposite to their Tumultuary proceedings. So when the chief Gentlemen of *Oxfordshire* heard, that a Petition had been delivered to the House of Commons in their Name, and the name of that County, against the established Government of the Church, and for the exercise of the Militia, they assembled together to draw up a Petition disavowing the former, and to desire, "that the settled Laws might be observed; of which the Lord *Say* having notice, he procured the chief Gentlemen to be sent for as Delinquents, and so suppressed that Address: And this was the measure of their Justice in many other particulars of the same nature, receiving and cherishing all mutinous, and seditious Petitions, and discountenancing such as besought the continuance, and vindication, of the so long celebrated and happy Government in Church and State; the prime leaders of that Faction not blushing, in publick Debates in the House, to aver "that "no man ought to Petition for the Government established by Law, because he had already his Wish; but they "that desired an Alteration, could not otherwise have

"their desires known; and therefore were to be countenanced.

They likewise present the King with Reasons for his continuance near the Parliament.

THE Committee, which presented the Declaration to the King at *New-Market*, presented likewise additional reasons, as they called them, for his Majesty's return, and continuance near the Parliament; as a matter, in their apprehension, of so great necessity, and importance towards the preservation of his Person, and his Kingdom: and they said.

"THEY could not think they discharged their duties in "the single expression of their desire, unless they added some "further reasons to back it with. 1. His Majesty's absence "would cause men to believe, that it was out of design to "discourage the undertakers, and hinder the other provisions "for raising money for defence of *Ireland*. 2. It would very "much hearten the Rebels There, and disaffected Persons in "This Kingdom, as being an evidence, and effect of the Jealousy and Division between his Majesty, and his people. 3. That it would much weaken, and withdraw the Affection of the Subject from his Majesty; without which, a "Prince is deprived of his chiefest strength, and lustre, and "left naked to the greatest dangers and miseries, that can be "imagined. 4. That it would invite, and encourage the Enemies of our Religion and the State in foreign parts, to the "attempting, and acting of their evil designs, and intentions "towards us. 5. That it did cause a great interruption in the "proceedings of Parliament. Those considerations, they said, "threaten'd so great dangers to his Person, and to all his Dominions, that, as his Great Council, they held it necessary "to represent to him this their faithful Advice, that so, what "soever should follow, They might be excused before God, "and Man.

WHILST that Declaration was reading, his Majesty expressed some passion upon particular expressions; and once, when that passage was read, that takes notice "of the transportation of Mr *Jermyn* by his Majesty's own Warrant, after "he had given his word, that he had commanded that none "of his Servants should depart from Court, interrupted the Earl of *Holland*, who read it, and said, "that's False; and when he was told, "it related not to the Date, but the Execution of the Warrant, his Majesty said, "It might have "been better expressed then: It is a high thing to tax a King "with breach of Promise. But after both the Declaration, and Reasons were read, the King, after a short pause, said to them.

The Majesty's Answer is brief.

"I AM confident that you expect not I should give you a "speedy Answer to this strange, and unexpected Declaration; and I am sorry, in the distraction of this Kingdom,

"you

" you should think This way of Address to be more conve-
 " nient, than That propounded, by my Message of the twen-
 " tieth of *January* last, to both Houses. As concerning the
 " grounds of your Fears and Jealousies, I will take time to
 " Answer them particularly ; and doubt not but I shall do it to
 " the satisfaction of all the world. God in His good time will,
 " I hope, discover the secrets and bottoms of all Plots, and
 " Treasons ; and then I shall stand right in the eyes of all my
 " People. In the mean time I must tell you, that I rather ex-
 " pected a vindication for the imputation laid upon me in
 " Mr *Pym's* Speech, than that any more General rumors, and
 " discourses, should get credit with you. For My fears and
 " Doubts, I did not think they should have been thought so
 " trivial and groundless, whilst so many seditious Pamphlets,
 " and Sermons, are looked upon, and so great Tumults re-
 " member'd, unpunish'd and uninquir'd into. I still confess
 " my Fears, and call God to witness, that they are greater for
 " the true Protestant profession, my People and Laws, than
 " for my own rights, or safety ; though I must tell you, I con-
 " ceive none of these are free from danger. What would you
 " have ? Have I violated your Laws ? Have I denied to pass
 " any one Bill for the ease, and security of my Subjects ? I
 " do not ask you what You have done for Me. Are my Peo-
 " ple transported with Fears and Apprehensions ? I have of-
 " fer'd as free, and general a Pardon as your selves can de-
 " vise. There is a Judgment from Heaven upon this Nation,
 " if these distractions continue. God so deal with Me, and
 " Mine, as all my thoughts, and intentions, are upright for
 " the maintenance of the true Protestant profession, and for
 " the observation and preservation of the Laws of the Land :
 " and I hope God will bless, and assist those Laws for my pre-
 " servation.

THIS being suddainly, and with some vehemence, spoken
 by his Majesty, and he having taken further time to Answer
 the Declaration, and the Reasons, the Committee besought
 him, " since they were to carry back with them no other An-
 " swer, that his Majesty would vouchsafe to give them what
 " he had spoken, in writing ; which, the next morning, he
 " did : And then the Earl of *Holland* again desired him, " that
 " he would reside nearer his Parliament ; whereunto the King
 " briefly Answered, " I would you had given me cause ; but I
 " am sure this Declaration is not the way to it. Then being
 " asked by the Earl of *Pembroke*, whether the Militia might not
 " be granted, as was desired by the Parliament, for a time ? He
 " Answered, " By God not for an hour. You have asked that
 " of me in this, was never asked of a King, and with which
 " I will not trust my Wife, and Children. He told them,

"he could not have believed the Parliament would have sent him such a Declaration, if he had not seen it brought by such Persons: and said he was Sorry for the Parliament, but Glad he had it; for by that he doubted not to satisfy his People. He said they spoke of ill Councils; but he was confident They had worse Information, than he had Councils. He told them, the business of *Ireland* would never be done in the way they were in, four hundred would never do that work; it must be put into the hands of One: and, he said, if He were trusted with it, he would pawn his Head to end that work.

As soon as the Committee returned and reported, what Answer they had received, and in what disposition and temper they found, and left the King; it was Order'd, that their Declaration, which they had sent to him, should be speedily printed, and carefully dispersed throughout the Kingdom, that the People might see upon what terms they stood; and all other possible courses were taken to poison the hearts, and affections of the Subjects, and to suppress all those, who, in any degree, seemed to dislike their high proceedings. Above all, care was taken to place such Preachers, and Lecturers, in the most populous Towns and Parishes, as were well known to Abhor the present Government, and temperature of Church and State; many of whom were recommended, and positively enjoined, and imposed upon Parishes, by the House of Commons; and others, by such Factious Members, whose reputation was most current: and all Canonical Clergy-men, and Orthodox Divines, were, with equal industry, discountenanced, imprisoned, or forced to a long attendance upon Committees, or the House (which was worse than Imprisonment) under the notion and imputation of Scandalous Ministers. Which charge and reproach reached all men whose Inclinations they liked not, or whose Opinions they suspected. And that they might be sure to be as strong and absolute at Sea, as at Land, they appointed the Lord Admiral to send the Names of all those Captains of Ships, who were to attend the Fleet for that Summer Service, to them, to the end they might have such men, in whom they might Confide; which his Lordship most punctually observed. By which they helped to free him of those Officers whom he could not plausibly have discharged; and struck out the names of those, whose Affections, or Relations they thought themselves not secure in.

*The King's
Message to
both Houses
in his way to
York.*

THE King thought it now time, according to his former resolution, which he had not communicated to many, to remove to *York*, which was a place of good reception, and convenience, for those who were willing to attend him; and to the end

and that there might be publick notice of it, he sent from *Huntington*, when he was upon his Journey, a Message to both Houses: "That, being then in his remove to his City of *Tork*, where he intended to make his Residence for some time, he thought fit to send that Message to them, and very earnestly to desire them, that they would use all possible industry in expediting the business of *Ireland*; in which they should find so chearful a concurrence from his Majesty, that no inconvenience should happen to that Service by his absence, he having all that passion for the reducing that Kingdom, which he had expressed in his former Messages, and being, by words, unable to manifest more affection to it, than he had endeavour'd to do by those Messages; having likewise done all such Acts, as he had been moved unto by his Parliament. Therefore, if the Misfortunes and Calamities of his poor Protestant Subjects there should grow upon them (though he should be deeply concern'd in, and sensible of their sufferings) he said, he should wash his hands before the World from the least imputation of slackness in that most necessary, and pious work.

"AND, that he might leave no way unattempted, which might beget a good understanding between him and his Parliament, he said, he thought it necessary to declare, that, as He had been so tender of the Privileges of Parliament, that he had been ready and forward to retract any Act of his own, which he had been informed had trench'd upon their Privileges; so he expected an equal tenderness in them of his known Prerogatives, which are the unquestionable Privileges of the Kingdom; amongst which, he was assured, it was a Fundamental one, that his Subjects could not be obliged to obey any Act, Order, or Injunction, to which He had not given his Consent.

"AND, therefore, he thought it necessary to publish, that he expected, and thereby required, Obedience from all his loving Subjects to the Laws established; and that they presumed not upon any pretence of Order, or Ordinance, to which his Majesty was no Party, concerning the Militia, or any other thing, to do, or execute what was not warrantable by those Laws; he being resolv'd to keep the Laws himself, and to require Obedience to them from all his Subjects.

"HE once more recommended unto them the substance of his Message of the twentieth of *January* last; that they would compose, and digest with all speed, such Acts as they should think fit for the present, and future establishment of their Privileges, the free and quiet enjoying their Estates and Fortunes, the liberties of their Persons, the security of the true

“Religion then professed in the Church of *England*, the
 “maintaining his Regal and Just Authority, and settling his
 “Revenue; he being most desirous to take all fitting and just
 “ways, which might beget a happy understanding between
 “him and his Parliament, in which he conceived his greatest
 “Power, and Riches did consist.

Both Houses
 Votes con-
 cerning the
 Militia.

I HAVE not known both Houses in more choler and rage,
 than upon the receiving this Message, which came early to
 them on *Wednesday* the sixteenth of *March*. Now the day
 before had been spent in preparing all things ready for the
 execution of the Ordinance of the Militia; They had Voted,
 and Resolved, “that it was not any way against the Oath of
 “Allegiance, that all the Commissions to Lieutenants under
 “the great Seal were illegal, and void; and that whosoever
 “should execute any Power over the Militia by colour of any
 “Commission of Lieutenancy, without consent of both
 “Houses of Parliament, should be accounted a disturber of the
 “Peace of the Kingdom. Then they agreed upon this Pro-
 position, “That the Kingdom had been of late, and still was,
 “in so evident and imminent danger, both from Enemies
 “abroad, and a Popish and discontented Party at home, that
 “there was an urgent, and inevitable necessity of putting his
 “Majesty’s Subjects into a posture of defence, for the safe-
 “guard both of the King, and his People; and that the Lords
 “and Commons, apprehending that danger, and being sen-
 “sible of their own duty to provide a suitable prevention,
 “had, in several Petitions, addressed themselves to his Ma-
 “jesty for the ordering and disposing the Militia of the
 “Kingdom in such a way, as was agreed upon, by the Wis-
 “dom of both Houses, to be most proper for the present exi-
 “gence of the Kingdom: Yet they could not obtain it; but
 “his Majesty did several times refuse to give his Royal As-
 “sent thereunto. Upon this Proposition, they Resolved,
 “that in that case of extreme danger, and of his Majesty’s re-
 “fusall, the Ordinance agreed on by both Houses for the Mi-
 “litia did oblige the People, and ought to be obeyed, by the
 “Fundamental Laws of the Kingdom; and that such Persons
 “as should be nominated Deputy Lieutenants, and approved
 “of by both Houses, should receive the Commands of both
 “Houses, to take upon them to execute their Offices. All
 which Resolutions were ordered, the same night, to be Printed
 and Published. So that, when the King’s Message from
Huntington was read the next morning, and seemed to be a-
 gainst their Votes of the day before, they concluded, “that
 “it could not be sent from the King, but that it had been in-
 “serted in blanks left in the Town for such purposes; and
 immediately made a Committee, “to find out by whom
 “that

"that Message was framed. But when they remember'd, that they had Voted as much a week before, and had examin'd the Gentlemen who brought it, and had receiv'd it from the King's own hand, they proceeded no further in that inquisition; but satisfied themselves with a new Vote, "that those Persons, who advised his Majesty to absent himself from the Parliament, and those that advised him to that Message, were Enemies to the Peace of the Kingdom, and justly to be suspected to be favourers of the Rebellion in *Ireland*. And for the matter it self they resolv'd to insist upon their former Votes; and withal declared, "that when the Lords and Commons in Parliament, which is the supreme Court of Judicature in the Kingdom, should declare what the Law of the Land is, to have that not only questioned, and controverted, but contradicted, and a Command that it should not be obeyed, was a high breach of the Privilege of Parliament.

AND this likewise they caused to be speedily Printed; lest the King should be able to persuade the Subjects, that an Order of theirs, without His consent, was no Law to compel their Obedience. And from this last Resolution, by which the Law of the Land, and consequently the Liberty of the Subject, was resolved into a Vote of the two Houses, which passed without any dispute or hesitation, all Sober Men discerned the fatal period of both, and saw a Foundation laid for all the Anarchy and Confusion, that hath followed.

It was now known, that the King was gone to *York*, which made them apprehend their Principality of *Hull* might be in danger; and therefore they immediately Resolve, "That no Forces whatsoever shall be admitted in that Town, without the immediate consent of both Houses: which Order was sent thither by an express. And having prepared the People to be ready for the Militia, by publishing "That, in case of extreme danger, they were to obey that Ordinance; they were, in the next place, to find the danger to be extreme; and, to that purpose, they produced Letters without any name, pretended to be written from *Amsterdam*, signifying "that they had intelligence there, that there was an Army ready in *Denmark* to be Transported into *England*, and was to be Landed at *Hull*; which, they said, had been confirmed to them, by a Person of Reputation, from *New-Market*, who confirmed the intelligence of *Denmark*: and added, that there were likewise Forces ready in *France* to be Landed at *Hull*.

OF this, how gross and ridiculous soever it appeared to Wise Men, they made a double use (besides the general impression in the People) the one to colour and countenance their

Their Order
concerning
Hull. X

Orders to their Governour there; the other, to make the King's Residence in those parts suspected and grievous, as if he came thither only to bring in Forreign Forces upon them. With these Alarms of Forreign Forces, they mingled other Intelligence of the Papists in *England*, "that they had a purpose "of making an Insurrection; and therefore they proceeded in preparing a Bill to secure the Persons of those of the best Quality, and greatest Interest, and injoyning the Oath of Supremacy to be taken with great rigour; and, amongst other stratagems they had to humble the Papists, I remember, upon an information that they used their Protestant Tenants worse in the raising their Rents, than they did those of their own Religion, there was an Order, "that they should not raise the "Rents of their Tenants, above the rates that the Protestant "Landlords adjoining receiv'd from their Tenants: by virtue of which, in some places, they undertook to determine what Rents their Tenants should pay to them. But, in this zeal against the Papists, they could not endure that the King should have any share; and therefore, when they found, that his Majesty had published a Proclamation in his Journey towards *York*, "Commanding all the Judges, and Justices of Peace, "and other Officers, to put in due execution all the Laws, and "Statutes of the Kingdom, against Popish Recusants, without "favour or connivance, they presently sent for the Sheriffs of *London* to the House of Commons, and examined them, "why "seven Priests, who were in *Newgate*, and had been long "Condemned, were not Executed? the reason whereof they well knew; and when the Sheriffs said, "that they had received a Reprieve for them under the King's hand, they published that with great care in their Prints to take off the Credit of the new Proclamation; and appointed their Messengers, whom they were then sending to the King with a new Declaration, to move his Majesty, "that he would take off "his Reprieve, and suffer those seven Condemn'd Priests to be "Executed, according to the Judgements they had received.

THEY proceeded now to provide all necessary means for the raising great sums of Money, by the diligent collection of what was granted by former Acts, and by a new Bill for the raising of four hundred thousand pounds, for the payment of the great Debts of the Kingdom (by which they meant the remainder of the three hundred thousand pounds, they had bountiffully given to their Brethren of *Scotland*) and the support of the War of *Ireland*: All which Monies were to be received, and disposed as the two Houses should direct; of which though the King saw the danger, that might, and did after ensue thereupon, yet he thought that probable inconvenience and mischief to be less, than that, which the scandal of deny-
ing

ing any thing, upon which the recovery of *Ireland* seem'd to depend, would inevitably bring upon him; and so ratified whatsoever they brought to him of that kind.

AMONGST other Expedients for raising of Money for the *They make* War of *Ireland*, about this time, they made certain Propo- *Propositions* sitions to encourage Men to be Adventurers in that Traffick, *for Adven- turers in Ireland.* Thus: They concluded "that, in so general a Rebellion, ver- ry much Land must Escheat to the Crown by the forfeiture "of Treason, and that, out of such forfeitures, satisfaction "might be given to those, who should disburse Money to- wards the suppression of the Rebels; so many Acres of Land "to be allowed for so much Money, according to the value of "the Lands in the several Provinces, which was specified in "the Propositions; which, having passed both Houses, were presented to the King, who (it being about the beginning of *February*, when the breach of their Privileges rung in all Mens Ears) Answered, "that as he had offer'd, and was still ready "to venture, his own Person for the recovery of that King- dom, if his Parliament should advise him thereunto; so he "would not deny to contribute any other assistance he could "to that Service, by parting with any profit or advantage of "his own there; and therefore, relying upon the Wisdom of "his Parliament, he did consent to every Proposition, now *The King* "made to him, without taking time to consider, and exa- *consents to them.* mine, whether that course might not retard the reducing "that Kingdom, by exasperating the Rebels, and rendering "them desperate of being receiv'd into Grace, if they should "return to their Obedience. And, he said, he would be ready "to give his Royal Assent to such Bills, as should be tender'd "to him by his Parliament for the confirmation of those Pro- positions.

WHICH Answer, together with their Propositions, they caused forthwith to be Printed; made their Committees, in all places, to solicit Subscriptions, and to receive the Monies, the Principal and most Active Persons Subscribing first, for the example of others; and delayed the framing, and presenting the Bill to the King, till they had received great sums of Money, and procured very many Persons of all Conditions to Subscribe, many coming in out of pure Covetousness to raise great Fortunes; five hundred Acres of Land being assign'd for one hundred pound in some Counties, and not much under that proportion in others: some out of pure fear, and to win Credit with the Powerful Party, which made this new project a measure of Mens Affections, and a tryal how far they might be trusted, and rely'd on.

THEN they sent those Propositions digested into a Bill to the King, with such Clauses of Power to them, and diminu- tion

*The King
passes a Bill
to that pur-
pose.*

tion of his own, that, upon the matter, he put the making a Peace with the Rebels there out of his Power, though upon the most advantageous terms; which he was likewise necessitated to pass.

BUT notwithstanding all these preparations on this side the Sea, the relief, and provision was very slowly supplied to the other side; where the Rebels still increased in strength, and by the fame of these Propositions, enlarged their Power, very many Persons of Honour, and Fortune, who till then had sat still, and either were, or seem'd to be averse to the Rebellion, joyning with them, as being desperate, and conceiving the utter suppressing their Religion, and the very extirpation of their Nation, to be decreed against them. And without doubt, the great Reformers here were willing enough to drive them to any extremity, both out of revenge and contempt, as a People easy to be rooted out, and that the War might be kept up still; since they feared an Union in that Kingdom might much prejudice their designs in this, both as it might supply the King with Power, and take away much of theirs; whereas now they had opportunity, with reference to *Ireland*, to raise both Men and Money, which they might be able to employ upon more pressing occasions, as they will be found afterwards to have done. Neither was it out of their expectation and view, that, by the King's consenting to that severe Decree, he might very probably discourage his Catholick Subjects, in his other Dominions, from any extraordinary Acts of duty, and affection: at least, that it would render him less considered by most Catholick Princes. And they knew well what use to make of any diminution of his Interest, or Reputation. These matters thus settled, for the ease of the two Houses, who were now like to have much to do, they appointed the whole business of *Ireland* to be managed by Commission under the great Seal of *England*, by four Lords, and eight Commoners, whom they recommended to the King, and who were always to receive instructions from Themselves. And in this state, and disposition, were the Affairs of *Ireland*, when the King went to *York*, where let us now resort to him.

THE END OF THE FOURTH BOOK.

T H E
History of the Rebellion, &c.
B O O K V.

Iſa. III. 12.

As for my People, Children are their Oppreſſours, and Women rule over them: O my People, they which lead thee, cauſe thee to err, and deſtroy the way of thy paths.

ASSOON as the King came to *Tork*, which was about the end of the Year 1641, and found his Reception there to be equal to his expectation, the Gentry, and Men of Ability of that great and Populous County (ſome very few excepted) expreſſing great alacrity for his Maſteſty's being with them, and no leſs ſenſe of the inſolent proceedings of the Parliament; thereupon, he reſolv'd to treat with the two Houſes in an other manner than he had done, and to let them clearly know, "That as he would deny them nothing that was fit for Them to aſk, ſo he would yield to nothing that was unreaſonable for Him to grant; and that he would have nothing extorted from him, that he was not very well inclined to conſent to. So, within few days after his coming thither, he ſent them a Declaration (which he cauſed to be Printed, and, in the Frontiſpiece, recommended to the conſideration of all his loving Subjects) in Anſwer to that preſented to him at *New-Market* ſome days before: He told them,

"THAT, though that Declaration, preſented to him at *New-Market* from both Houſes of Parliament, was of ſo ſtrange a Nature, in reſpect of what he expected (after ſo many Acts of Grace and Favour to his People) and ſome expreſſions in it ſo different from the uſual Language to Princes, that he might well take a very long time to conſider it; yet the clearneſs and uprightneſs of his Conſcience to God,

His Majeſty's Declaration from York, March 9. 1641.

"and

"and love to his Subjects, had supplied him with a speedy
 "Answer; and his unalterable affection to his People pre-
 "vailed with him to suppress that passion, which might well
 "enough become him upon such invitation. He said, he
 "had reconsider'd his Answer of the first of that Month at
 "*Theobalds*, which was urg'd to have given just cause of for-
 "row to his Subjects; but, he said, whoever looked over
 "that Message (which was in effect to tell him; that if he
 "would not joyn with them in an Act, which he conceived
 "might prove prejudicial and dangerous to him, and the
 "whole Kingdom, they would make a Law without him, and
 "impose it upon his People) would not think that suddain
 "Answer could be excepted to. He said, he had little in-
 "couragement to replies of that Nature, when he was told
 "of how little value his words were like to be with them,
 "though they came accompanied with all the Actions of
 "Love, and Justice (where there was room for Actions to
 "accompany them) yet he could not but disavow the having
 "any such evil Counsel, or Counsellors about him, to his
 "knowledge, as were mentioned by them; and, if any such
 "should be discover'd, he would leave them to the Censure,
 "and Judgement of his Parliament. In the mean time he
 "could wish, that his own immediate Actions, which he did
 "avow, and his own Honour, might not be so roughly censured
 "and wounded, under that common style of evil Counsellors.
 "For his faithful and zealous Affection to the true Protestant
 "profession, and his Resolution to concur with his Parliament
 "in any possible course for the propagation of it, and the sup-
 "pression of Popery, He said he could say no more than he
 "had already expressed in his Declaration to all his loving
 "Subjects, published in *January* last, by the advice of his
 "Privy Council; in which he endeavour'd to make as lively
 "a Confession of himself in that point, as he was able, being
 "most assured, that the constant practice of his Life had been
 "answerable thereunto: And therefore, he did rather expect
 "a Testimony, and acknowledgement of such his Zeal and
 "Piety, than those expressions he met with in that Declara-
 "tion of any design of altering Religion in this Kingdom.
 "And he said, he did, out of the innocency of his Soul, wish,
 "that the judgements of Heaven might be manifested upon
 "those, who have, or had any such design.

"As for the *Scots* Troubles, He told them, he had thought,
 "that those unhappy differences had been wrapped up in per-
 "petual silence by the Act of Oblivion; which, being so-
 "lemnly passed in the Parliaments of both Kingdoms, stopped
 "his own Mouth from any other Reply, than to shew his
 "great dislike for reviving the Memory thereof. He said, if
 "the

“ the Rebellion in *Ireland*, so odious to all Christians, seem’d
 “ to have been framed, and maintained in *England*, or to
 “ have any Countenance from hence, he conjured both his
 “ Houses of Parliament, and all his loving Subjects whatso-
 “ ever, to use all possible means to discover, and find such
 “ out, that he might joyn in the most exemplary Vengeance
 “ upon them, that could be imagined. But, he told them,
 “ he must think himself highly, and causelessly injured in his
 “ Reputation, if any Declaration, Action, or Expression of
 “ the *Irish* Rebels; any Letters from the Count *Rozetti* to
 “ the Papists, for Fastings and Praying; or from *Triftram*
 “ *Whetcomb*, of strange Speeches uttered in *Ireland*, should be-
 “ get any Jealousy, or Misapprehension in his Subjects of his
 “ Justice, Piety, and Affection: it being evident to all under-
 “ standings, that those mischievous and wicked Rebels, are
 “ not so capable of great advantage, as by having their false
 “ discourses so far believ’d, as to raise Fears and Jealousies to
 “ the distraction of this Kingdom; the only way to their Se-
 “ curity. He said, he could not express a deeper sense of the
 “ sufferings of his poor Protestant Subjects in that Kingdom,
 “ than he had done in his often Messages to both Houses; by
 “ which he had offer’d, and was still ready, to venture his
 “ Royal Person for their redemption, well knowing that as
 “ he was, in his own Interests, more concern’d in them; so
 “ he was to make a strict Account to Almighty God for any
 “ neglect of his Duty, or their Preservation.

“ For the manifold Attempts to provoke his late Army,
 “ and the Army of the *Scots*, and to raise a Faction in the
 “ City of *London*, and other parts of the Kingdom, if it were
 “ said as relating to Him, he could not without great Indigna-
 “ tion, suffer himself to be reproach’d to have intended the
 “ least force, or threatening to his Parliament; as the being
 “ Privy to the bringing up the Army would imply. Whereas,
 “ he called God to Witness, he never had any such thought,
 “ nor knew of any such Resolution concerning his late Army.
 “ For the Petition shewed to him by Captain *Leg*, he said,
 “ he well remember’d the same, and the occasion of that Con-
 “ ference. Captain *Leg* being lately come out of the North,
 “ and repairing to him at *White-Hall*, his Majesty asked him
 “ of the state of his Army; and, after some relation of it, he
 “ told his Majesty, that the Commanders and Officers of the
 “ Army, had a mind to Petition the Parliament, as others of
 “ his People had done, and shewed him the Copy of a Peti-
 “ tion; which he read, and finding it to be very humble, de-
 “ siring the Parliament might receive no interruption in the
 “ Reformation of Church, and State, to the Model of Queen
 “ *Elizabeth*’s days, his Majesty told him, that he saw no harm
 “ in

“in it; whereupon Captain *Leg* replied, that he believ'd all
 “the Officers of the Army would like it, only, he thought,
 “Sr *Jacob Ashley* would be unwilling to sign it, out of fear that
 “it would displease Him. His Majesty then read the Petition
 “over again; and observing nothing in Matter, or Form he
 “conceiv'd could possibly give just cause of Offence, he deli-
 “vered it to him again, bidding him give it to Sr *Jacob Ashley*,
 “for whose satisfaction he writ C. R. upon it, to testify his
 “Approbation; and he wished that the Petition might be
 “seen and published, and then he believ'd it would appear
 “no dangerous one, nor a just ground for the least Jealousy,
 “or Misapprehension.

“FOR Mr *Fermyn*, he said, it was well known that he was
 “gone from *White-Hall*, before he receiv'd the desire of both
 “Houses for the restraint of his Servants; neither returned
 “he thither, or pass'd over by any Warrant granted by him
 “after that time. For the breach of Privilege in the Accu-
 “sation of the Lord *Kimbolton*, and the five Members of the
 “House of Commons, he told them, he thought, he had
 “given so ample satisfaction in his several Messages to that
 “purpose, that it should have been no more press'd against
 “him; being confident, if the breach of Privilege had been
 “greater than ever had been before offer'd, his acknowlege-
 “ment and retraction had been greater than ever King had
 “given: besides the not Examining how many of His Privi-
 “leges had been invaded in defence and vindication of the
 “other. And therefore, he hoped his true, and earnest pro-
 “testation in his Answer to their Order concerning the Mi-
 “litia, would so far have satisfied them of his Intentions then,
 “that they would no more have entertained any Imagination
 “of any other design, than he there express'd. But why the
 “lifting so many Officers, and entertaining them at *White-*
 “*Hall*, should be misconstrued, he said, he much marvelled,
 “when it was notoriously known the Tumults at *Westminster*
 “were so great, and their demeanour so scandalous and sedi-
 “tious, that he had good cause to suppose his own Person,
 “and those of his Wife and Children, to be in apparent dan-
 “ger; and therefore he had great reason to appoint a Guard
 “about him, and to accept the dutiful tender of the Services of
 “any of his loving Subjects, which was all he did to the Gen-
 “tlemen of the Inns of Court.

“FOR the Lord *Digby*, he assured them in the Word of a
 “King, that he had his Warrant to pass the Seas, and had
 “left his Court, before ever he heard of the Vote of the
 “House of Commons, or had any cause to imagine that his
 “absence would have been excepted against. What their Ad-
 “vertisements were from *Rome*, *Venice*, *Paris*, and other parts,
 “or

“ or what the Pope’s Nuntio solicites the Kings of *France* and
 “ *Spain*, to do ; or from what Persons such informations come
 “ to them, or how the Credit and Reputation of such Per-
 “ sons had been sifted and examined, he said, he knew not ;
 “ but was confident no Sober Honest Man in his Kingdoms
 “ could believe, that he was so desperate, or so senseless, to
 “ entertain such designs, as would not only bury this his
 “ Kingdom in suddain distraction and ruin, but his own Name
 “ and Posterity in perpetual Scorn, and Infamy. And there-
 “ fore, he said, he could have wished in matters of so high
 “ and tender a Nature, wherewith the minds of his good
 “ Subjects must needs be startled, all the expressions had been so
 “ plain and easy, that nothing might stick with them that
 “ reflected upon his Majesty ; since they thought fit to publish
 “ it at all.

“ AND having now dealt thus plainly and freely with
 “ them, by way of Answer to the particular grounds of their
 “ Fears, he said, he hoped, upon a due consideration, and
 “ weighing of both together, they would not find the grounds
 “ to be of that moment to beget, or longer to continue, a
 “ misunderstanding between them ; or force them to apply
 “ themselves to the use of any other power, than what the
 “ Law had given them : the which he always intended should
 “ be the measure of his own Power, and expected it should
 “ be the rule of his Subjects Obedience.

“ CONCERNING his own Fears and Jealousies, as he had
 “ no Intention of accusing them, so he said, he was sure no
 “ words spoken by him on the suddain at *Thresholds* would
 “ bear that Interpretation. He had said, for his Residence
 “ near them, he wished it might be so safe and honourable,
 “ that he had no cause to absent himself from *White-Hall*,
 “ and how that could be a breach of Privilege of Parliament
 “ he could not understand. He said, he had explained his
 “ meaning in his Answer at *New-Market*, at the presentation
 “ of that Declaration, concerning the printed seditious Pam-
 “ phlets, and Sermons, and the great Tumults at *Westminster* :
 “ And he said, he must appeal to them, and all the world,
 “ whether he might not justly suppose himself in danger of
 “ either. And if he were now at *White-Hall*, he asked them,
 “ what security he had, that the like should not be Again ?
 “ especially if any Delinquents of that Nature had been ap-
 “ prehended by the Ministers of Justice, and had been rescu-
 “ ed by the people, and so as yet had escaped Unpunished.
 “ He told them, if they had not yet been informed of the se-
 “ ditious words used in, and the circumstances of those Tu-
 “ mults, and would appoint some way for the examination of
 “ them, he would require some of his learned Council to at-
 “ tend

“tend with such Evidence as might satisfy them; and till that
 “were done, or some other course should be taken for his
 “security, he said, they could not with reason wonder, that
 “he intended not to be, where he most desired to be.

“HE asked them, whether there could Yet want evidence
 “of his hearty and importunate desire to joyn with his Par-
 “liament, and all his faithful Subjects, in defence of the Re-
 “ligion, and publick good of the Kingdom? Whether he
 “had given them no other earnest but Words, to secure them
 “of those desires? He told them the very Remonstrance of
 “the House of Commons (published in *November* last) of the
 “State of the Kingdom allowed him a more Real Testimony
 “of his good Affections, than Words; that Remonstrance
 “valued his Acts of Grace and Justice at so high a rate, that
 “it declared the Kingdom to be then a Gainer, though it
 “had charged it self by Bills of Subsidies and Poll-money,
 “with the levy of six hundred thousand pounds, besides the
 “contracting a debt of two hundred and twenty thousand
 “pounds more to his Subjects of *Scotland*. He asked them,
 “whether the Bills for the Triennial Parliament, for relia-
 “quishing his Title of imposing upon Merchandize, and power
 “of pressing of Soldiers, for the taking away the Star-Cham-
 “ber, and High-Commission Courts, for the regulating the
 “Council Table, were but Words? whether the Bills for the
 “Forrests, the Stannery Courts, the Clarke of the Market,
 “and the taking away the Votes of Bishops out of the Lords
 “House, were but Words? Lastly, what greater earnest of
 “his Trust, and Relyance on his Parliament could he give,
 “than the Passing the Bill for the continuance of this Pre-
 “sent Parliament? The Length of which, he said, he hoped,
 “would never alter the Nature of Parliaments, and the Con-
 “stitution of this Kingdom; or invite his Subjects so much
 “to abuse his Confidence, as to esteem any thing fit for this
 “Parliament to do, which were not fit, if it were in his power
 “to Dissolve it to Morrow. And after all these, and many
 “other Acts of Grace on his part, that he might be sure of a
 “perfect reconciliation between him and all his Subjects, he
 “had offer’d, and was still ready to grant, a free, and general
 “Pardon, as ample as themselves should think fit. Now if
 “those were not real Expressions of the Affections of his Soul
 “for the Publick good of this Kingdom, he said, he must con-
 “fess that he wanted skill to manifest them.

“To conclude, although he thought his Answer already
 “full to that point concerning his return to *London*, he told
 “them, that he was willing to declare, that he looked upon
 “it as a matter of so great weight, as with reference to the
 “Affairs of this Kingdom, and to his own inclinations and
 “desires,

“desires, that if all he could Say, or Do, could raise a mutual Confidence (the only way, with Gods blessing, to make them all happy) and, by their incouragement, the Laws of the Land, and the Government of the City of *London*, might recover some life for his Security; he would overtake their desires, and be assoon with them, as they could wish. And in the mean time, he would be sure that neither the business of *Ireland*, nor any other advantage for This Kingdom should suffer through His default, or by His Absence; he being so far from repenting the Acts of his Justice and Grace, which he had already performed to his People, that, he said, he should, with the same alacrity, be still ready to add such New ones, as might best advance the Peace, Honour, and Prosperity of this Nation.

THEY who now read this Declaration, and remember only the insolent and undutiful Expressions in that Declaration, to which this was an Answer, and the more insolent and seditious Actions which preceded, accompanied, and attended it, may think, that the style was not answerable to the Provocation, nor Princely enough for such a Contest; and may believe, that if his Majesty had then expressed himself with more Indignation for what he had suffer'd, and more Resolution, “that he would no more endure those Sufferings, they who were not yet grown to the hardness of Avowing the contempt of the King (and most of them having designs to be great With, and by Him, whom they provoked) would sooner have been checked, and recovered their Loyalty and Obedience. But they again who consider and remember that juncture of time, the incredible disadvantage his Majesty suffer'd by the misunderstanding of his going to the House of Commons, and by the Popular mistake of Privilege of Parliament, and consequently of the breach of those Privileges: And, on the contrary, the great height and reputation the Factious Party had arrived to; the stratagems they used, and the insinuations they made into the People, “of the King's disinclination to the Laws of the Land; and especially, “that he had consented to all those excellent Laws made this Parliament (of which the People were possessed) very unwillingly, and meant to avoid them: That the Queen had an irreconcilable Hatred to the Religion profess'd, and to the whole Nation, and that her Power was unquestionable: That there was a design to send the Prince beyond the Seas, and marry him to some Papist: Above all (which the principal of them, with wonderful Confidence, in all places avowed to be true) “that the Rebellion in *Ireland* was fomented, and countenanced at least, by the Queen, that good terms might be got for the Catholicks in *England*: I say, whoever re-

members all this, and, that though it might be presumed, that the exorbitancy of the Parliament might be very offensive to some Sober and discerning Men, yet his Majesty had no reason to presume of their eminent and vehement Zeal on his behalf, since he saw all those (some few only excepted) from whom he might challenge the duty, and faith of Servants *usque ad aras*, and for whose sake he had undergone many difficulties, either totally aliened from his Service, and engaged against Him, or, like Men in a Trance, unapplicable to it: He will, I say, conclude that it concern'd his Majesty, by all gentleness and condescension, to undeceive, and recover Men to their sobriety and understanding, before he could hope to make them apprehensive of their own duty, or the reverence that was due to him; and therefore, that he was to descend to all possible Arts, and Means to that purpose, it being very evident, that Men would no sooner discern his Princely Justice and Clemency, than they must be sensible of the Indignities which were offer'd to him; and incens'd against those who were the Authors of them.

AND the truth is (which I speak knowingly) at that time, the King's Resolution was to Shelter himself wholly under the Law; to grant any thing, that by the Law he was obliged to grant; and to deny, what by the Law was in his own power, and which he found inconvenient to consent to; and to oppose and punish any extravagant attempt by the force and power of the Law, presuming that the King and the Law together would have been strong enough for any encounter that could happen; and that the Law was so sensible a thing, that the People would easily perceive who endeavoured to Preserve, and who to Suppress it, and dispose themselves accordingly.

THE day before this Answer of his Majesty came to the Members then Sitting at *Westminster*, though they knew they should speedily receive it, lest somewhat in it might Answer, and so prevent some other scandals they had a mind to lay to his Majesty's Charge, they sent a Petition to him, in the Name of the Lords and Commons, upon occasion of the short cursory Speech he made to their Committee (which is before mentioned) at the delivery of their Declaration at *New-Market*, in which they told him,

*The Petition
of the Lords
and Com-
mons pre-
sented to his
Majesty at
York, Mar.
26. 1642.*

“THAT the Lords and Commons in Parliament could not conceive, that that Declaration, which he received from them at *New-Market*, was such as did deserve that censure, his Majesty was pleased to lay upon them in that Speech, which his Majesty made to their Committee; their address therein, being accompanied with plainness, humility, and faithfulness, they thought more proper for the removing
“the

"the distraction of the Kingdom, than if they had then pro-
 "ceeded according to his Message of the twentieth of *Janu-*
 "ry; by which he was pleased to desire, that they would de-
 "clare, what they intended to do for his Majesty, and what
 "they expected to be done for Themselves; in both which,
 "they said, they had been very much hinder'd by his Maje-
 "sty's denial to secure them, and the whole Kingdom, by
 "disposing the Militia as they had divers times most Humbly
 "Petitioned. And yet, they said, they had not been altoge-
 "ther negligent of either, having lately made good proceed-
 "ings in preparing a Book of Rates, to be passed in a Bill
 "of Tonnage and Poundage, and likewise the most material
 "heads of those humble desires, which they intended to make
 "to his Majesty for the good and contentment of his Maje-
 "sty and his People; but none of those could be perfected
 "before the Kingdom be put in safety, by settling the Mili-
 "tia: And until his Majesty should be pleased to concur with
 "his Parliament in those necessary things, they held it im-
 "possible for his Majesty to give the world, or his People,
 "such satisfaction concerning the Fears and Jealousies, which
 "they had expressed, as they hoped his Majesty had already
 "received touching that exception, which he was pleased to
 "take to Mr *Pym's* Speech. As for his Majesty's Fears and
 "Doubts, the ground whereof was from seditious Pamphlets
 "and Sermons, they said, they should be as careful to endea-
 "vour the removal of them, as soon as they should understand
 "what Pamphlets and Sermons were by his Majesty; intend-
 "ed, as they had been to prevent all dangerous Tumults.
 "And if any extraordinary Concourse of people out of the
 "City to *Westminster* had the face and shew of Tumult and
 "Danger, in his Majesty's apprehension, it would appear to
 "be caused by his Majesty's denial of such a Guard to his Par-
 "liament, as they might have cause to Consider, and by
 "taking into *White-Hall* such a Guard for Himself, as gave
 "just cause of Jealousy to the Parliament, and of Terror
 "and Offence to his People. They told him, they sought
 "nothing but his Majesty's Honour, and the Peace and Pro-
 "sperity of his Kingdoms; and that they were heartily sorry,
 "they had such plentiful matter for an Answer to that Ques-
 "tion, whether his Majesty had violated their Laws? They be-
 "sought his Majesty to remember, that the Government of
 "this Kingdom, as it was, in a great part, managed by his
 "Ministers before the beginning of this Parliament, consisted
 "of many continued and multiplied Acts of violation of Laws;
 "the wounds whereof were scarcely heal'd, when the Ex-
 "tremity of all those violations was far exceeded by the late
 "Strange, and unheard of breach of their Laws in the Ac-

"cufation of the Lord *Kimbolton*, and the five Members of
 "the Commons Houfe, and in the proceedings thereupon;
 "for which they had yet received no full fatisfaction.

"To his Majesty's next Queftion, whether he had denied
 "any Bill for the eafe and fecurity of his Subjects? They
 "wifhed they could ftop in the midft of their Answer; that
 "with much thankfulnefs they acknowledged, that his Ma-
 "jesty had paffed many good Bills full of contentment and
 "advantage to his People: but Truth and Neceffity enforced
 "them to add this, that even in, or about the time of paffing
 "thofe Bills, fome defign or other had been on foot, which,
 "if it had taken effect, would not only have deprived them
 "of the fruit of thofe Bills, but have reduced them to a worfe
 "condition of confufion, than that wherein the Parliament
 "found them.

"AND if his Majesty had asked them the third Queftion
 "intimated in that Speech, what They had done for Him?
 "they told him, their Answer would have been much more
 "eafy; That they had paid two Armies with which the
 "Kingdom was burthen'd the laft year, and had undergone
 "the Charge of the War in *Ireland* at this time, when through
 "many other exceffive Charges and preffures, his Subjects
 "had been exhausted, and the ftock of the Kingdom very
 "much diminifhed; which great mifchiefs, and the charge
 "thereupon enfuing, had been occafioned by the evil Coun-
 "fels fo powerful with his Majesty; which had and would
 "coft this Kingdom more than two Millions; all which, in
 "juftice, ought to have been born by his Majesty.

"As for that free and general pardon his Majesty had been
 "pleafed to offer, they faid, it could be no fecurity to their
 "Fears and Jealoufies, for which his Majesty feem'd to pro-
 "pound it; becaufe they arofe not from any Guilt of their
 "own Actions; but from the evil defigns, and attempts of
 "others.

"To that their Humble Answer to that Speech, they de-
 "fired to add an Information, which they had lately received
 "from the Deputy Governour of the Merchant Adventurers
 "at *Rotterdam* in *Holland*, that an unknown Perfon, apper-
 "taining to the Lord *Digby*, did lately follicit one *James Hen-
 ly* a Mariner, to go to *Elfenore*, and to take charge of a
 "Ship in the Fleet of the King of *Denmark*, there prepared;
 "which he fhould conduct to *Hull*. In which Fleet likewife,
 "he faid, a great Army was to be transported; and although
 "they were not apt to give credit to Informations of that
 "Nature, yet they could not altogether think it fit to be ne-
 "glected; but that it might juftly add fomewhat to the weight
 "of their Fears and Jealoufies, confidering with what cir-
 "cumftances

“circumstances it was accompanied; with the Lord Digby’s preceding expressions in his Letter to her Majesty, and Sir Lewis Dives; and his Majesty’s succeeding course of withdrawing himself Northward from his Parliament, in a manner very suitable and correspondent to that evil Counsel; which, they doubted, would make much deeper impression in the generality of his People: and therefore, they most humbly advised, and besought his Majesty, for the procuring and settling the confidence of his Parliament and all his Subjects, and for the other important reasons concerning the recovery of *Ireland*, and securing this Kingdom, which had been formerly presented to him, he would be graciously pleased, with all convenient speed, to return to those Ports, and to close with the Counsel and desire of his Parliament; where he should find their dutiful Affections and Endeavours ready to attend his Majesty with such entertainment, as should not only give him just cause of security in their faithfulness, but other manifold evidences of their earnest intentions, and endeavours to advance his Majesty’s Service, Honour, and Contentment; and to establish it upon the sure Foundation of the Peace, and Prosperity of all his Kingdoms.

THIS, which they called a Petition, being presented to the King, his Majesty immediately return’d, by the same Messengers, his Answer in these words:

“IF you would have had the patience to have expected *The King’s* our Answer to your last Declaration (which, considering *Answer.* the nature of it, hath not been long in coming) We believe, you would have saved your selves the labour of saying much of this Message. And we could wish, that our Privileges on all parts were so stated, that this way of Correspondency might be preserved with that freedom, which hath been used of old. For we must tell you, that if you may ask any thing of us by Message or Petition, and in what Language (how unusual soever) you think fit, and we must neither deny the thing you ask, nor give a reason why we cannot grant it, without being taxed of breaking your Privileges, or being Counsell’d by those, who are Enemies to the Peace of the Kingdom, and Favourers of the *Irish* Rebellion (for we have seen your Printed Votes upon our Message from *Huntington*) you will reduce all our Answers hereafter into a very little room; in plain *English*, it is to take away the freedom of our Vote; which, were we but a Subject, were high injustice, but being your King, we leave all the World to judge what it is.

“Is this the way to compose all misunderstandings? We thought, we shewed you one, by our Message of the twen-

"tith of *January*, if you have a better or readier, We shall
 "willingly hearken to it, for hitherto you have shewed us
 "none: But why the refusal to consent to your Order, which
 "you call a denial of the Militia, should be any interruption
 "to it, we cannot understand. For the Militia, which we
 "always thought necessary to be sented, we never denied the
 "thing (as we told you in our Answer of the 28th of *Ja-*
 "*nuary*, to the Petition of the House of Commons) for we
 "accepted the Persons, except for Corporations; we only
 "denied the way. You ask it by way of Ordinance, and with
 "such a Preface, as we can neither with justice to our Honour,
 "or Innocency consent to. You exclude us from any Power
 "in the disposition or execution of it together with you, and
 "for a time utterly unlimited. We tell you, we would have
 "the thing done; allow the Persons, with that exception;
 "desire a Bill, the only good old way of imposing on our
 "Subjects: We are extremely unsatisfied what an Ordinance
 "is, but well satisfied, that without our Consent it is no-
 "thing, nor binding: and it is evident by the long time spent
 "in this Argument, the necessity and danger was not so im-
 "minent, but a Bill might have been prepared; which if it
 "shall yet be done, with that due regard to us, and Care of
 "our People, in the limitation of the Power and other Cir-
 "cumstances, we shall recede from nothing we formerly ex-
 "pressed in that Answer to your Order; otherwise, we must
 "declare to all the World, that we are not satisfied with, or
 "shall ever allow our Subjects to be bound by, your Printed
 "Votes of the fifteenth or sixteenth of this Month; or that
 "underpretence of declaring what the Law of the Land is,
 "you shall, without Us, make a new Law, which is plainly
 "the case of the Militia: and what is this but to introduce an
 "Arbitrary way of Government?

"CONCERNING *Pym's* Speech, you will have found, by
 "what the Lord *Compton* and Mr *Baynton* brought from us
 "in Answer to that Message they brought to us, that, as yet,
 "we're nothing satisfied in that particular.

"As for the Seditious Pamphlets and Sermons, We are
 "both sorry and ashamed (in so great variety, and in which
 "our Rights, Honour, and Authority, are so insolently slight-
 "ed and villified, and in which the Dignity and Freedom of
 "Parliaments is so much invaded, and violated) it should be
 "asked of us to Name any. The mentioning of the Prote-
 "station protested, the Apprentices Protestation, *To your*
 "*Tents O Israel*, or any other, would be too great an excuse
 "for the rest: If you think them not worth your enquiry,
 "we have done. But we think it most strange to be told,
 "that our denial of a Guard (which we yet never denied, but
 "granted

"granted in another manner, and under a Command at that
 "time most accustomed in the Kingdom) or the denial of
 "any thing else (which is in our Power legally to deny)
 "which in our understanding, of which God hath surely given
 "us some use, is not fit to be granted, should be any excuse
 "for so dangerous a Concourse of People; which, not only
 "in our apprehension, but; we believe, in the interpreta-
 "tion of the Law it self, hath been always held most Tumul-
 "tuous, and Seditious. And we must wonder, what, and
 "whence come the Instructions and Informations, that those
 "People have, who can so easily think themselves obliged by
 "the Protestation to Assemble in such a manner for the de-
 "fence of Privileges, which cannot be so clearly known to
 "any of them, and so negligently pass over the consideration,
 "and defence of our Rights, so beneficial and necessary for
 "themselves, and scarce unknown to any of them; which by
 "their Oaths of Allegiance and Supremacy, and even by the
 "same Protestation, they are at least equally obliged to de-
 "fend. And what interruptions such kind of Assemblies may
 "be to the freedom of future Parliaments (if not seasonably
 "discountenanced and suppressed) We must advise you to
 "consider; as likewise, whether both our Rights and Powers
 "may not by such means be usurped, by hands not trusted by
 "the Constitution of this Kingdom. For our Guard, we re-
 "fer you to our Answer to your Declaration.

"But that Question of violating your Laws, by which we
 "endeavour'd to express our care, and resolution to observe
 "them, we did not expect, you would have been invited to
 "have looked back so many years, for which you have had
 "so ample reparation; neither looked we to have been re-
 "proached with the Actions of our Ministers then against
 "the Laws, whilst we express so great Zeal for the present
 "defence of them; it being our Resolution, upon observa-
 "tion of the mischief which then grew by Arbitrary Power
 "(though made plausible to us by the suggestions of Necessity
 "and imminent Danger, and take you heed, you fall not into
 "the same error, upon the same suggestions) hereafter to keep
 "the Rule our self, and to our Power require the same
 "from all others. But above all, we must be most sensible
 "of what you cast upon us for requital of those good Bills,
 "you cannot deny. We have denied any such design; and as
 "God Almighty must judge in that point between us, who
 "knows our upright intentions at the passing those Laws, so
 "in the mean time we defy the Devil to prove, that there
 "was any design (with our Knowledge, or Privy) in or
 "about the time of passing those Bills, that, had it taken ef-
 "fect, could have deprived our Subjects of the fruit of them.

“And therefore we demand full réparation in this point, that we may be cleared in the sight of all the World, and chiefly in the Eyes of our Loving Subjects, from so notorious and false an imputation, as this is.

“WE are far from denying what you have done; for we acknowledge the charge our People hath sustained in keeping the two Armies, and in relieving *Ireland*; of which we are so sensible, that in regard of those great burthens our People hath undergone, we have, and do patiently suffer those extreme Personal Wants, as our Predecessors have been seldom put to, rather than we would press upon them; which we hope in time, will be considered on your parts.

“IN our offer of a general Pardon, our intent was to compose and secure the general condition of our Subjects, conceiving that, in these times of great distractions, the good Laws of the Land have not been enough observed; but it is a strange World, when Princes proffered Favours are counted Reproaches; yet if you like not this our offer, we have done.

“CONCERNING any discourses of Forreign Forces, though we have given you a full Answer in ours to your last Declaration, yet we must tell you, we have neither so ill an opinion of our own Merit, or the Affections of our good Subjects, as to think our self in need of any Forreign Forces to preserve us from Oppression; and we shall not need for any other purpose: but are confident, through God's Providence, not to want the good Wishes and Assistance of the whole Kingdom, being resolv'd to build upon that sure Foundation, the Law of the Land; and we take it very ill, that general discourses between an unknown Person and a Mariner, or inferences upon Letters, should be able to prevail in matters so improbable in themselves, and Scandalous to us; for which we cannot but likewise ask réparation, not only for the vindication of our own Honour, but also thereby to settle the minds of our Subjects, whose Fears and jealousies would soon vanish, were they not fed and maintained by such false and malicious Rumours as these.

“FOR our return to our Parliament, We have given you a full Answer in ours to your Declaration; and you ought to look on us as not Gone, but Driven (we say not By you, yet) From you. And if it be not so easy for you to make our Residence in *London* so Safe, as we could desire, we are and will be contented, that our Parliament be Adjourn'd to such a place, where we may be fitly and safely with you. For though we are not pleased to be at this distance

“stance, yet you are not to expect our Presence, until you
 “shall both secure us concerning our just Apprehensions of
 “Tumultuary Insolences, and likewise give us satisfaction for
 “those insupportable and insolent Scandals, that are raised
 “upon us.

“To conclude, as we have or shall not refuse any agree-
 “able way to Justice or Honour, which shall be offer’d to us
 “for the beg’ting a right understanding between us; do we
 “are resolved that no streights or necessities, to which we
 “may be driven, shall ever compel us to do that, which the
 “reason and understanding that God hath given us, and our
 “Honour and Interest, with which God hath trusted us for
 “the good of our Posterity and Kingdoms, shall render un-
 “pleasant and grievous to us. And we assure you, how
 “meanly soever you are pleas’d to value the discharge of our
 “Publick Duty, we are so Conscious to our self of having
 “don’d our part since this Parliament, that in whatsoever
 “Condition we now stand, we are confident of the conti-
 “nued Protection from Almighty God, and the constant Gra-
 “titude, Obedience, and Affection from our People. And
 “we shall trust God with all.

THESE quick Answers from the King gave them very
 much trouble, and made it evident to them, that he would
 no more be Swagger’d into Concessions that he thought un-
 reasonable, or perswaded to them by general Promises, or
 an implicit Confidence in their future Modesty; but that he
 demanded reparation for the breach of his Privileges, and so
 Fought with them with their own Weapons, troubled them
 much more; apprehending that, in a short time, the People
 might be perswaded to believe, that the King was in the right,
 and had not been well dealt with: and though some few,
 who thought themselves too far engaged to retire, were glad
 of the sharpness of these Paper-Skirmishes, which they be-
 lieved made the wound still wider, and more incurable; yet
 the Major part, which had been induced to joyn with them
 out of Confidence that the King would yield, and that their
 boldness and importunity in asking, would prevail with his
 Majesty to consent, wished themselves fairly unintangled;
 and I have heard many of the Fiercest Concurrers, and who
 have ever since kept them Company, at that time profess,
 “that if any expedient might be found to reconcile the pre-
 “sent difference about the Militia, they would no more Ad-
 “venture upon Demands of the like Nature: and the Earl of
Essex himself was startled, and confessed to his Friends, “that
 “he desired a more moderate proceeding should be in Parlia-
 “ment; and that the King, who had given so much, should
 “receive some satisfaction. But those of the Court, who
 thought

thought their faults to their Master most unpardonable, could not endure that the Youngest Courtier, should be the Eldest Convert; and therefore, by repeating what the King and Queen had said of him heretofore, and by fresh Intelligence, which they procured from *York*, of what the King then thought of him, they perswaded him, "That his Condition was too desperate to recede: and all Men were perswaded, that this steady deportment of the King, proceeded from some new evil Counsellors, who would be soon Destroyed as Discovered; and that then they would so carry themselves, that the King should owe his Greatness, and his Glory (for they still said, "He should excel all his Predecessors in both) to their formed Counsels and Activity, and not to the whispers of those who thought to do his business without them. And I am perswaded that even then, and I was at that time no stranger to the Persons of most that Governed, and a diligent observer of their Carriage, they had rather a design of making themselves powerful with the King, and great at Court, than of lessening the Power of the One, or reforming the Discipline of the Other: but, no doubt, there were some few in the number that looked further; yet by pretending that, kept up the Mettal of Writing, and inclined them for their Honour to new Declarations.

THE King found himself at some ease, and most Persons of Quality of that great County, and of the Counties adjacent, resorted to him, and many Persons of Condition from *London*, and those parts, who had not the Courage to attend upon him at *White-Hall*; so that the Court appeared with some Lustre. And now he begun to think of executing some of those Resolutions, which he had made with the Queen before her departure; One of which was, and to be first done, the removing the Earls of *Essex* and *Holland* from their Offices in the Court, the one of Chamberlain, the other of Groom of the Stole, which hath the reputation and benefit of being first Gentleman of the Bed-Chamber. Indeed no Man could speak in the justification of either of them, yet no Man thought them equally culpable. The Earl of *Holland* was a Person really of the King's, and his Father's Creation; raised from the Condition of a private Gentleman, a Younger Brother of an Extraction that lay under a great blemish, and without any Fortune, to a great height by their meagre Favour, and Bounty. And they had not only adorn'd them with Titles, Honours, and Offices, but enabled them to support those in the highest Lustre, and with the largest Expence: and this King had drawn many inconveniences, and great disadvantages, upon himself and his Service, by his preferring him to some Trusts, which Others did not only think themselves, but

but really were, worthier of; but especially by indulging him so far in the rigorous Execution of his Office of Chief Justice in Eyre, in which he brought more prejudice upon the Court, and more discontent upon the King, from the most considerable part of the Nobility and Gentry in *England*, than proceeded from any one Action, that had its rise from the King's Will and Pleasure, though it was not without some Warrant from Law; but having not been practised for some hundreds of Years, was looked upon as a terrible Innovation and Exaction upon Persons, who knew not that they were in any fault; nor was any imputed to them, but the Original Sin of their Fore-fathers, even for which they were obliged to pay great Penalties and Ransoms. That such a Servant should suffer his Zeal to lessen and decay towards such a Master, and that he should keep a Title to lodge in his Bed-Chamber, from whose Court he had, upon the matter withdrawn himself, and adhered to, and assisted those, who affronted and contemned his Majesty so notoriously, would admit of no manner of Interposition and Excuse.

LESS was to be objected against the Earl of *Essex*, who as he had been, all his Life, without obligations from the Court, and believ'd he had undergone oppression there, so he was, in all respects, the same Man he had always professed himself to be, when the King put him into that Office; and in receiving of which, many Men believ'd, that he rather gratified the King, than that his Majesty had obliged him in conferring it; and it had been, no doubt, the chief reason of putting the Staff in his hand, because in that Conjecture no other Man, who would in any degree have appeared worthy of it, had the Courage to receive it. However having taken the Charge upon him, he ought, no doubt, to have taken all his Master's Concernments more to Heart, than he had done; and he can never be excused for staying in *White-Hall*, when the King was with that Outrage driven from thence, and for choosing to behold the Triumph of the Members return to *Westminster*, rather than to attend his Majesty's Person in so great perplexity to *Hampton-Court*; which had been his duty to have done, and for failing wherein no other excuse can be made, but that, after he had taken so full a Resolution to have waited upon his Majesty thither, that he had dressed himself in his Travelling Habit, he was diverted from it by the Earl of *Holland*, who ought to have accompanied him in the Service, and by his averment, "That if he went, he should be Assassinated; which it was not possible should have ever been so much as thought of."

NOTWITHSTANDING all this, the Persons trusted by his Majesty and remaining at *London*, had no sooner notice of it

it (which his Majesty sent to them, that he might be advised the best way of doing it) but they did all they could to dissuade the pursuing it. They did not think it a good Conjunction to make those two Persons desperate; and they knew that they were not of the Temper and Inclinations of those, who had too much Credit with them, nor did desire to drive things to the utmost Extremities, which could never better their Conditions; and that they did both rather desire to find any Expedients, by which they might make a safe and an honourable Retreat, than to Advance in the way they were engaged in. But the Argument they chiefly insisted on to the King, was, "That being depriv'd of their Offices, they
 "would be able to do more mischief, and ready to embark
 "themselves with the most desperate Persons, in the most
 "desperate Attempts; which fell out accordingly. And there is great reason to believe, that if that Resolution the King had taken, had not been too obstinately pursued at that time, many of the mischiefs, which afterwards fell out, would have been prevented; and, without doubt, if the Staff had remained still in the hands of the Earl of *Essex*, by which he was Charged with the Defence and Security of the King's Person, he would never have been prevailed with to have taken upon him the Command of that Army, which was afterwards raised against the King, and with which so many Battles were Fought. And there can be as little doubt in any Man, who knew well the Nature and Temper of that Time, that it had been very difficult, if not utterly impossible, for the two Houses of Parliament to have raised an Army then, if the Earl of *Essex* had not consented to be General of that Army.

BUT the King was inexorable in the point; He was obliged by promise to the Queen at parting, which he would not break; and her Majesty had Contracted so great an indignation against the Earl of *Holland*, whose ingratitude indeed towards Her was very odious, that she had said, "She
 "would never live in the Court, if He kept his place. And so the King sent an Order to *Littleton* the Lord Keeper of the great Seal, "That he should require the Staff and Key from
 "the One, and the Other, and receive them into his Custody. The Keeper trembled at the Office, and had not Courage to undertake it. He went presently to the Lord *Falkland*, and desired him to assist him in making his excuse to the King. He made many professions of his Duty to the King, "who,
 "he hoped, would not Command him in an Affair so unsuitable to the Office he held under him: that no Keeper had
 "been employed in such a Service; that if he should execute
 "the Order he had receiv'd, it would in the first place be
 "Voted a breach of Privilege in him, being a Peer; and the
 "House

“House would commit him to Prison, by which the King
 “would receive the greatest affront, though He should be
 “ruin’d; whereas the thing it self might be done by a more
 “proper Officer, without any inconvenience.

How weak soever the Reasons were, the Passion was strong, and the Lord *Falkland* could not refuse to convey his Letter to the King, which contained his Answer in his own words, with all the imaginable professions of Duty and Zeal for his Service. How ill soever his Majesty was satisfied, he saw the business would not be done that way; and therefore he writ immediately a Letter, all in his own hand, to the Lord *Falkland*; in which with some gracious expressions of excuse for putting that work upon Him, he Commanded him “to require the surrender of the Ensigns of their Offices from those two Earls. The Lord *Falkland* was a little troubled in receiving the Command: They were Persons from whom he had always receiv’d great Civilities, and with whom he had much Credit; and this harsh Office might have been more Naturally, and as Effectually perform’d by a Gentleman Usher, as the same Staff had been demanded before from the Earl of *Pembroke*, within less than a Year. However, he would make no excuse, being a very punctual and exact Person in the performance of his Duty; and so went to both of them, and met them coming to the House, and imparted his Message to them: They desired him very civilly, “that he “would give them leave to confer a little together, and they “would, within half an hour, send for him into the House of “Commons; whither he went, and they, within less time, sent to him to meet them in *St Thomas Cotton’s* Garden (a place adjacent, where the Members of both Houses used frequently to walk) and there with very few words, they delivered the Staff and the Key into his hands, who immediately carried them to his Lodging; and They went up to the House of Peers: and presently both Houses took notice of it, and with Passion, and bitter Expressions against the evil Counsellors, who had given his Majesty that Counsel, they concurr’d in a Vote, “that whosoever presumed to accept of either of “those Offices, should be reputed an Enemy to his Country; and then they proceeded with more impetuosity in the business of the Militia, and all other matters which most trench’d upon the King’s Authority.

WHILEST they were so eager in pursuit of the Militia, and pretended the necessity so imminent, that they could not defer the disposition thereof till it might be Formally, and Regularly settled by Bill, they had their Eye upon another Militia, the Royal Navy; without recovering of which to their own power (though they were satisfy’d by the pulse of the People, that

that they would joyn with them, and be generally obedient to their Commands) they had no mind to venture upon the execution of their Land Ordinance. And therefore, in the beginning of the Spring, when the Fleet for that Year was provided, after they had excepted against such Persons to be Captains of Ships, as they thought not devoted to them (as is before mentioned) they sent a formal Message to the Lords, " that the Earl of *Northumberland* Lord Admiral, might be moved to constitute the Earl of *Warwick* his Admiral of the " Fleet for that Years Service, being a Person of such Honour " and Experience, as they might safely Confide in him; and " that the Earl of *Warwick* might be desired to undertake that " Service. The Lords thought fit that the King's approbation might be first desired, before it was recommended to the Earl of *Northumberland*; but the Commons thought that superfluous, since the Officers of the Fleet were absolutely in the Earls disposal; and therefore refused to send to the King, but of Themselves sent to both the one Earl and the other; and the Earl of *Warwick*, being well pleased with the Trust, very frankly, without waiting the King's consent, declared " that " he was ready to undertake the employment. But this being so publicly agitated, the King could not but take notice of it; and finding that the business should not be proposed to him, thought it necessary, to signify his pleasure in it, that so at least the Lord Admiral might not pretend innocence, if ought should be done to his disservice; and therefore, he appointed Mr Secretary *Nicholas* to write to the Earl of *Northumberland*, " that his Majesty expected that *St John Pennington* should Command that Fleet, as he had done two or " three Years before. This Letter being communicated to both Houses, and the Lord Admiral being thereby upon the disadvantage of a Single contest with the King, the House of Commons, rather out of kindness and respect to the Earl, than of Duty to the King, Condescended to joyn with the Lords in a Message to his Majesty; which they sent not by Members of their own, but directed the Lord Keeper " to " inclose it in a Letter to the Secretary attending the King, " and to send the same to *York*; which he did accordingly. The Message was:

*A Message
from both
Houses to the
King, Mar.
28. 1642.*

" THAT the Lords and Commons, in this present Parliament assembled, having found it necessary to provide, and " set to Sea, a strong and powerful Navy for the Defence of " this Kingdom against Forreign force, and for the Security of " his Majesty's other Dominions, the Charge whereof was to " be born by the Common-wealth: and taking notice of the " indisposition of the Lord Admiral, which disabled him, at " that time, for Commanding the Fleet in his own Person, did " there-

“thereupon recommend unto his Lordship the Earl of *Warwick*, a Person of such Quality and Abilities, as in whom they might best Confide, to supply his Lordships room for this Imployment; and understanding that his Majesty hath since signify'd his Pleasure concerning that Command for *John Pennington*, they said, they did hold it their Duty to represent to his Majesty the great danger, and mischief the Common-wealth was like to sustain by such interruption; and therefore did humbly beseech his Majesty, that the Noble Person, recommended by both Houses of Parliament for this Service, might be no longer detained from it, out of any particular respect to any other Person whatsoever.

THE same day that this Message came to his Majesty, he dispatched an Answer to the Lord Keeper; in which he told him, “That he wonder'd both at the Form, and Matter of that inclosed Paper he had sent to him, in the Name of both Houses of Parliament: It being neither by the way of Petition, Declaration, or Letter; and for the Matter, he believ'd, it was the first time, that the Houses of Parliament had taken upon them the Nomination, or Recommendation of the chief Sea-Commander; but it added to the wonder, that *Sr John Pennington* being already appointed by Him for that Service, upon the Recommendation of his Admiral, and no fault so much as alledged against him, another should be recommended to him. Therefore, he said, his Resolution upon that point was, that he would not alter him, whom he had already appointed to Command that Years Fleet; whose every ways Sufficiency was so Universally known, the which he was confident his Admiral, if there should be occasion, would make most evident; against whose testimony he supposed his Parliament would not except. And though there were yet None appointed, or the said *Sr John*, through some accident, not able to perform the Service; yet, he said, the men of that profession were so well known to him, besides many other reasons, that (his Admiral excepted, because of his place) recommendations of that kind would not be acceptable to him.

THIS Answer was no other than they expected, though they seem'd troubled at it, and pretended that they had many things of Misdemeanour to object against *Sr John Pennington*, at least such matters as would render him incapable of that Trust; the greatest of which was that he had convey'd the Lord *Dixie* over Sea; though they well knew (as is before mentioned) that he had the King's Warrant and Command for that purpose; and therefore moved the Lords that he might be left for to be examined upon many particulars: and in

the mean time, whilst they caus'd him to attend their leisure to be examined, they proceeded in hastning the Earl of *Warwick* to make himself ready for the Service, who made no scruple of undertaking it; and the Earl of *Northumberland* receiving the Order, and Desire of both Houses "to grant his Commission to him to be Admiral of that Fleet, thought himself sufficiently excus'd towards the King, and did it accordingly; the two Houses in the mean time, without any further thought of procuring the King's Consent, preparing reasons to satisfy his Majesty for the Necessity, or Convenience of their proceeding.

MANY Men, especially they who at a distance observ'd and discern'd the Difficulties the King was like to Encounter, wonder'd that upon so apparent a breach of Trust, and act of Undutifulness, his Majesty did not at that time revoke the Lord Admiral's Commission, which was but during pleasure; and so put that sure Guard of the Kingdom, his Navy, under such a Command as he might depend upon. But the truth is, it was not Then Counsellable; for (besides that it was easier to Resolve, "that it was fit to remove the Earl of *Northumberland*, than to find a Man competent for the place) that way it might have been possible to have prevented the going out of any Fleet to Sea, which would have confirm'd the frantick Jealousies of bringing in Foreign Forces; but not have reduced it to his own Obedience.

THEY had, by degrees, so order'd the Collection of Tonnage and Poundage, by passing Bills for six weeks and two months at a time, and putting those, who should Receive or Pay those Duties, otherwise than they were granted by those Bills, into a *Præmunire*; and so terrify'd the old Customers, that the King had no other means of setting out his Fleet, than by the Monies arising by the Customs, which they absolutely dispos'd of; and at this time had Contracted with the Victualler, made the Ships ready, and hired many Merchants Ships to joyn in that Fleet for the Guard of the Seas. And whilst this matter of the Admiral was in suspense, they suffer'd the former Bill of Tonnage and Poundage to expire, and did not, till the very Night before, pass a new Bill; which could not have the Royal Assent till many days after, the King being then at *York*. Yet the House of Commons, to save all danger of the *Præmunire*, on the 24th of *March*, being the very day that the former Bill expired, sent an Order to all the Collectors of the Customs; many of which could not receive it in ten days after;

"THAT the new Bill being passed by both Houses for the continuance of those payments until the third day of *May* (which could not yet receive the Royal Assent, in regard
"of

“ of the remoteness of his Majesty's Person from the Parliament) which Monies to be collected by that Bill were to be employ'd in the necessary Guarding of the Seas, and Defence of the Common-wealth: It was therefore order'd by the Commons in Parliament, that the several Officers belonging to the Custom House, both in the Port in *London*, and the out Ports, should not permit any Merchant or other to Lade, or Unlade any Goods, or Merchandizes, before such Persons do make due Entries thereof in the Custom House. And it was declared also by the said Commons; that such Officers, upon the respective Entry made by any Merchant as aforesaid, should intimate to such Merchant, that it was the advice of the Commons, for the better ease of the said Merchants, and in regard the respective Duties would relate, and become due as from that day; that the said Merchants upon Entry of their Goods, as usually they did, when a Law was in force to that purpose, would deposit so much Money as the several Customs would amount unto, in the hands of such Officers, to be by them accounted to his Majesty, as the respective Customs due by the said Bill, when the said Bill should have the Royal Assent; or otherwise, his Majesty refusing the passing thereof, the said Monies to be restored, upon demand, unto the several Merchants respectively.

By which Order, which was a more absolute Dispensation for a *Premunire*, than ever any *Non-obstante* granted by the Crown, the Customs were as frankly, and fully paid, as if an Act of Parliament had been passed to that purpose; and as soon as the Commission could be sent, and returned from *Tork*, the Act was passed. But no doubt they had a further design in suffering the Bill totally to expire, before they prepared a new One, than at that time was apprehended; and intended, under such a Popular necessity, which seem'd to be occasioned by the King's absence, to bring their own Orders in such a reputation, that in another necessity which They should Declare, they might by the Precedent of this, which was the only Indemnity all those Merchants who paid, and the Officers who receiv'd, Customs, had for the preservation of their Estates, be currently and absolutely obeyed and submitted to.

By this it appears the King could not at that time, with conveniency or safety to his Affairs, displace the Earl of *Northumberland*; and He believ'd, if his occasions should Hereafter require it, that the Time would be much more seasonable, when the Fleet was at Sea; and the Thing it self more practicable: which was a true conclusion. However, he express'd so much dislike against the Earl of *Warwick's*

Commanding that Fleet, that he was not willing that any Officers whom he valued, should take imployment under him; which he had shortly after cause to repent. For, by this means, the Vice-Admiralty, which was design'd to Captain *Cartwright*, the Controller of the Navy, who hath since sufficiently testify'd how advantageously to his Majesty he would have managed that Charge, upon His refusal (which was occasioned by intimation from his Majesty, as shall be hereafter mentioned) was Conferr'd upon *Batten*, an obscure Fellow; and, though a good Sea-man, unknown to the Navy, till he was, two or three Years before, for money, made Surveyor, who executed it ever since with great animosity against the King's Service, of which more hereafter.

BEING, by this means, secure at Sea, they proceeded with more vigour at Land; and, though they thought it not Yet seasonable to execute their Ordinance for the Militia with any Form and Pomp, they directed, Underhand, their Agents and Emissaries, "that the People, of Themselves, should choose Captains and Officers, and Train under the name "of Volunteers; which begun to be practis'd in many places of the Kingdom, but only in those Corporations, and by those Inferiour People, who were notorious for Faction, and Schism in Religion. The King's Declarations, which were now carefully publish'd, gave them some trouble, and made great impression, in Sober Men, who were moved with the Reason, and in Rich Men, who were startled at the Commands in them. But that Clause in the King's Answer to their Declaration, presented to him at *New-Market*, in which He told them, "That if they had not been inform'd of the "seditious words used in, and the circumstances of the Tumults, and would appoint some way for the examination "of them, that he would require some of his Learned Council to attend with such Evidence as might satisfy them, troubled them much more. For if there were still so much Courage left in the King's Council, that they durst appear to inform against any of those proceedings, which They favoured, they should find Men grow more afraid of the Law than of Them; which would destroy all their designs. Therefore they Resolv'd to proceed with all expedition, and severely against the Attorney General for his Trespas and Presumption upon their Privileges, in the Accusation of the five Members, and the Lord *Kimbolton*: of the circumstances of which Proceeding, and Judgement thereupon, being as extraordinary, and as distant from the Rules of Justice, at least of practice, as any thing that then happen'd, it will not be amiss to set down two or three particulars.

SHORTLY after they had Impeached him (which is mentioned

tioned before) and the King had found it necessary to give over any prosecution against the Others, his Majesty being desirous now he had freed Them, that they should free His Attorney, writ a Letter from *Roysson*, when he was in his way to *Tork*, to the Lord Keeper ; in which he told him, " that the Articles, which had been preferred against the Mem-
 " bers, were, by Himself, delivered to his Attorney General
 " engrossed in Paper ; and that he had then commanded him
 " to accuse those Persons, upon those Articles of High Treason, and other Misdemeanours ; and, in His Name to desire a Committee of Lords might be appointed to take the
 " examination of such Witnesses as should be produced, as
 " formerly had been done in cases of like nature, according to
 " the Justice of the House. And his Majesty did further declare, that his said Attorney did not advise or contrive the
 " said Articles, nor had any thing to do with, or in advising,
 " any breach of Privilege that followed after. And for what
 " he did in obedience to His Commands, he conceived he
 " was bound by Oath, and the duty of his Place, and by the
 " Trust reposed in him by his Majesty, so to do : and that
 " if he had refused to obey his Majesty therein, his Majesty
 " would have question'd him for breach of Oath, Duty, and
 " Trust ; but now having declared that he found cause wholly to desist from proceeding against the Persons accused,
 " he had commanded him to proceed no further therein, nor
 " to produce, nor discover any Proof concerning the same.

THOUGH this Testimony of his Majesty's clearly absolved him from the Guilt, with which he was charged, yet it rather hasten'd the Trial, and sharpen'd the edge, that was before keen enough against him ; and the day of Trial being come, when the Members of the Commons, who were appointed for the Prosecution, found that Counsel was ready (which had been assigned by the Lords) for the defence of the Attorney General, they professed, " that they would admit no
 " Council ; that it was below the dignity of the House of
 " Commons to plead against Fee'd Council ; that whoever
 " presumed to be of Counsel with a Person accused by the
 " Commons of *England*, should be taught better to know his
 " duty, and should have cause to repent it. The Lords seem'd much moved with this reproach, that their Acts of Judicature should be questioned, and the Council, which had been justly, and regularly assign'd by them, should be threaten'd for submitting to Their Order. But that which troubled them most, was, that the Council, which was assign'd by them, upon this reprehension, and threat of the Commons, positively refused to meddle further in the business, or to make any Defence for the Attorney. Hereupon, they put off the Trial,

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and commit to the Tower of London *Sr Thomas Bedingfield*, and *Sr Thomas Gardiner*, for their contempt in refusing to be of Council with the Attorney upon Their Assignment : standers by looking upon the justice of Parliament with less reverence, to see the Subject, between the contradictory, and opposite Commands of both Houses (the displeasure of either being insupportable) punished and imprisoned for doing, by One, what he was streightly inhibited from doing by the Other.

HOWEVER, this difference gave only respite for some days to the Attorney, who was quickly again called before his Judges. To what was passionately and unreasonably objected against him, " of breach of Privilege and Scandal, he confidently alledg'd " the Duty of his place ; that his Master's " Command was Warrant for what he had done ; and that " he had been justly punishable if he had refused to do it, " when Commanded ; that there had never been a Pretence " of Privilege in Case of Treason, the contrary whereof was " not only understood by the Law, but had been by Them- " selves confessed, in a Petition delivered by them in the be- " ginning of this King's Reign, upon the imprisonment of " the Earl of *Arundel* ; in which it was acknowledged, that " the Privilege of Parliament extended not to Treason, Fe- " lony, or refusal to find Sureties for the Peace ; that he had " no reason to suspect the executing the Duty of his place " would have been imputed to him for any Trespas, since " the very same thing he had now done, and of which he stood " accused, was done, in the first year of this King's Reign, " by *Sr Robert Heath*, the then Attorney General ; who ex- " hibited Articles of High Treason before their Lordships, " against the Earl of *Bristol*, which was not then understood " to be any breach of Privilege ; and therefore, having so " late a Precedent, most of their Lordships being then Judges, " he hoped he should be held excusable for not being able " to discern that to be a crime, which they had yet never de- " clared to be so. The undeniable reasons of his Defence (a- " gainst which nothing was replied, " but the inconvenience " and mischief, which would attend a Parliament, if the Mem- " bers might be accused of High Treason without their con- " sent) prevailed so far with the Major part of the House of Peers, though the Prosecution was carried on with all imagin- " able sharpness, and vehemence by the House of Commons, and entertained by those Peers, who were of that Party, as a matter of vast concernment to all their hopes ; that the Que- " stions being put, whether he should be deprived of his place of Attorney ? whether he should be Fined to the King ? whe- " ther he should pay Damages to the Persons accused ? and whe- " ther he should be committed to the Tower ? which were the
several

several parts of the Sentence, which many of the Lords had pressed he should undergo, the Negative prevailed in every one of the Particulars; so that the Attorney was understood by all Men, who understood the Rules and Practice of Parliament, to be absolutely absolved from that Charge and Impeachment, by the Judgement of the House of Peers.

THE House of Commons expressed all possible resentment, and declared "that they would not rest satisfy'd with "the Judgement; and some Lords, even of those who had acquitted him, were very desirous to find out an Expedient, whereby the House of Commons might be compounded with; and it was believed, that the Attorney himself was much shaken with the torrent of Malice and Prejudice, which the House of Commons seem'd now to threaten him with; conceiving, "that He and his Office now Triumphed over the "whole Body, and not over six Members only: and therefore, after some days, the House of Peers considering, "that "his discharge was but Negative, that he should not be punished in this and that degree; and that he had no Absolution from the Crimes, with which he was charged, proceeded to a new Judgement (contrary to all course and practice of Parliament, or of any Judicial Court) and complying with all their other Votes, Resolv'd, by way of Judgement upon him, "That he should be disabled from ever being a Parliament "Man; incapable of any place of Judicature, or other Pre- "ferment, than of Attorney General; which they could not deprive him of, by reason of the former Vote: and "that he "should be committed to the Prison of the Fleet. Which Sentence was with all Formality pronounced against him, and he committed to the Fleet accordingly: with which Sentence the Commons were no more satisfy'd than with the Former; some of them looking that their Favourite, the Solicitor, should have the place of Attorney; Others, that the Accused Members should receive ample Damages by way of reparation; without which they could not think themselves secure from the like Attempts.

HAVING, by this extraordinary and exemplary proceeding, fortify'd their Privileges against such Attempts, and secured their Persons from being Accused, or proceeded against by Law, they used no less severity, against all those who presumed to question the justice, or prudence of their Actions, especially against those, who, following the Method that had done so much hurt, drew the People to Petition for that which they had no mind to grant; and in this prosecution they were not less severe, and vehement, than against the highest Treason could be imagined.

UPON the Petition mentioned before, that was framed

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in *London* against their settling the Militia, they committed one *George Binion*, a Citizen of great Reputation for Wealth and Wisdom, and who was indeed a very Sober Man. After he had lain some time in Prison, the Lords, according to Law, Bail'd him; but the Commons caused him the next day to be recommitted, and prefer'd an Impeachment against him, for no other Crime but "advising and contriving that Petition. The Gentleman defended himself, "that it was always held, and so publickly declared this Parliament, to be "Lawful, in a modest way, to Petition for the removal, or "prevention of any Grievance: that observing very many Petitions to be delivered, and received, for the settling the Militia, in an other way than was then agreeable to the Law, "or had been practiced, and conceiving that the same would "prove very prejudicial to the City of *London*, of which he "was a Member, he had joyn'd with many other Citizens, "of known Ability and Integrity, in a Petition against so great "an inconvenience; which, he presumed, was Lawful for "him to do. How reasonable soever this Defence was, the House of Peers adjudged him "to be Disfranchis'd, and incapable of any Office in the City; to be committed to the "Common Goal of *Colchester* (for his Reputation was so great in *London*, that they would not trust him in a City Prison) and Fin'd him three Thousand pounds.

ABOUT the same time, at the General Assizes in *Kent*, the Justices of Peace, and principal Gentlemen of that County, prepared a Petition to be presented to the two Houses, with a desire, "that the Militia might not be otherwise exercised "in that County, than the known Law permitted: and that "the Book of Common-Prayer, established by Law, might be "observed. This Petition was Communicated by many to their Friends, and Copies thereof sent abroad, before the Subscription was ready; whereupon the House of Peers took notice of it, as tending to some Commotion in *Kent*; and, in the Debate, the Earl of *Bristol* taking notice, "that he had "seen a Copy of it, and had had some Conference about it with "Judge *Mallet*, who was then Judge of Assize in *Kent*, and newly return'd out of his Circuit, both the Earl and Judge, for having but seen the Petition, were presently committed to the Tower; and a Declaration published, "That none "should presume to deliver that, or the like Petition, to either "House. Notwithstanding which, some Gentlemen of *Kent*, with a great number of the Substantial Inhabitants of that County, came to the City; which, upon the Alarm, was put in Armes; strong Guards placed at *London Bridge*, where the Petitioners were disarmed, and only some few suffered to pass with their Petition to *Westminster*; the rest forced to return

to their Country. And, upon the delivery thereof to the House of Commons (though the same was very modest, and in a more dutiful Dialect than most Petitions delivered to them) the bringers of the Petition were sharply reprehended; two or three of them committed to several Prisons; the principal Gentlemen of the Country, who had Subscribed and Advised it, sent for as Delinquents; Charges, and Articles of Impeachment, drawn up against them; and a Declaration published, "That whosoever should henceforth Advise, or Contrive the like Petitions, should be proceeded against, as Enemies to the Common-wealth. So unlike, and different were their Tempers, and reception of those modest Addresses, which were for Duty and Obedience to the Laws established; and those which pressed, and brought on Alteration and Innovation. But that injustice gave great life, and encouragement to their own Profelytes; and taught others to know that their being Innocent would not be long easy or safe: and this kind of Justice extended it self in the same measure to their own Members, who opposed their irregular determinations; who, besides the Agony and Vexation of having the most plain Reason, and confessed Law, rejected, and over-ruled with contempt and noise, were lyable to all the Personal Reproaches and Discountenance, that the Pride and Petulancy of the other Party, could lay upon them; and were sometimes imprison'd and disgraced, for freely speaking their Opinions, and Conscience in Debate.

ALL sorts of Men being thus terrify'd, the Commons remember'd, that a great Magazine of the King's Ammunition lay still at *Hull*; and though that Town was in the Custody of a Confident of their own, yet they were not willing to venture so great a Treasure so near the King, who continued at *York*, with a great resort of Persons of Honour and Quality from all parts; and therefore they Resolv'd, under pretence of supplying *Ireland*, to remove it speedily from thence; and moved the Lords, "to joyn with them in an Order to that purpose. The Lords, who proceeded with less Fury, and more Formality, desired "that it might be done with the King's Consent. After a long Debate, the one thinking they Merited much by that Civility, the other contented to gratify those in the Ceremony, who, they knew, would in the end Concurr with them, a Petition was agreed upon to be sent to his Majesty; in which, that he might the sooner yield to them in this matter, they Resolv'd to remember him of that, which, they thought, would reflect on him with the People, and to "move him to take off the Reprieve from the six Priests, which is before mentioned. And so they sent their Petition to him, telling him, "That they found the Stores

A Petition
from the two
 Houses to re-
 move the
 Magazine
 from Hull.

“of Armes, and Ammunition in the Tower of *London* much
“diminished; and that the necessity for supply of his King-
“dom of *Ireland* (for which they had been issued from thence)
“daily increased; and that the occasion, for which the Ma-
“gazine was placed at *Hull*, was now taken away; and confi-
“dering it would be kept at *London* with less Charge, and
“more Safety, and Transported thence with much more con-
“venience for the Service of the Kingdom of *Ireland*; they
“therefore humbly prayed, that his Majesty would be graci-
“ously pleased to give leave, that the said Armes, Cannon,
“and Ammunition, now in the Magazine of *Hull*, might be
“removed to the Tower of *London*, according as should be
“directed by both his Houses of Parliament: And whereas
“six Priests, then in *Newgate*, were condemned to dye, and
“by his Majesty had been Reprieved, they humbly prayed
“his Majesty to be pleased, that the said Reprieves might be
“taken off, and the Priests executed according to Law. To
“which Petition his Majesty immediately returned Answer in
“these words:

His Maje-
sty's An-
swer.

“We rather expected, and have done long, that you
“should have given Us an account, why a Garrison hath
“been placed in our Town of *Hull*, without our Consent, and
“Soldiers Billeted there against Law, and express words of
“the Petition of Right, than to be moved, for the avoiding
“of a needless Charge you have put upon your selves, to give
“our Consent for the removal of our Magazine and Muni-
“tion, our own proper Goods, upon such general Reasons
“as indeed give no satisfaction to our Judgement; And since
“you have made the business of *Hull* your Argument, We
“would gladly be informed, why our own inclination, on the
“general Rumour of the designs of Papists in the Northern
“Parts, was not thought sufficient ground for us to put a
“Person of Honour, Fortune, and unblemished Reputation,
“into a Town and Fort of our own, where our own Ma-
“gazine lay: and yet the same Rumour be Warrant enough for
“you to commit the same Town and Fort, without our
“Consent, to the hands of *St John Hesbam*, with a power
“unagreeable to the Law of the Land, or the Liberty of the
“Subject.

“AND yet of this, in point of Right, or Privilege, for
“sure We are not without Privilege too, we have not all
“this while complained: and being confident that the place,
“whatsoever discourse there is of Publick or Private Instru-
“ctions to the contrary, shall be speedily given up, if we
“shall require it, we shall be contented to dispose our Mu-
“nition there, as we have done in other places, for the
“Publick ease and benefit, as, upon particular advice, we
“shall

"shall find convenient; though we cannot think it fit, or
 "consent, that the whole Magazine be removed together,
 "But when you shall agree upon such proportions, as shall
 "be held necessary for any particular Service, we shall sign
 "such Warrants as shall be agreeable to Wisdom and Reason;
 "and if any of them be design'd for *Ulster*, or *Lemster*, you
 "know well the Conveyance will be more easy, and conve-
 "nient from the place they are now in. Yet we must tell
 "you, that if the Fears are so great from the Papists at home,
 "or of Foreign Force, as is pretended, it seems strange that
 "you make not provision of Armes, and Munition, for defence
 "of this Kingdom, rather than seek to carry any more from
 "hence, without some course taken for supply; especially,
 "if you remember your Engagement to our *Scottish* Subjects,
 "for that proportion of Armes, which is contained in your
 "Treaty. We speak not this, as not thinking the sending
 "of Armes to *Ireland* very necessary, but only for the way
 "of the provision. For you know what great quantities we
 "have Assign'd out of our several Stores, which, in due
 "time, we hope, you will see replenish'd. For the Charge
 "of looking to the Magazine at *Hull*, as it was undertaken
 "Voluntarily by you at first, and, to say no more, Unne-
 "cessarily; so you may free our good People of that Charge,
 "and leave it to Us to look to, who are the proper Owner
 "of it. And this, we hope, will give you full satisfaction in
 "this point, and that ye do not, as you have done in the bu-
 "siness of the Militia, send this Message out of Compliment
 "and Ceremony, resolving to be your own Carvers at last.
 "For we must tell you, if any Attempt shall be made or
 "given in this matter, without our Consent or Approbation,
 "we shall esteem it as an Act of Violence against us; and
 "declare it to all the World, as the greatest Violation of our
 "Right, and Breach of our Privilege.

"CONCERNING the six Priests condemn'd, it is true,
 "they were Repriev'd by our Warrant, we being inform'd
 "that they were, by some restraint, disabled to take the be-
 "nefit of our former Proclamation; since that, we have Is-
 "sued out another, for the due Execution of the Laws a-
 "gainst Papists; and have most solemnly promised, in the
 "word of a King, never to pardon any Priest, without your
 "Consent, which shall be found guilty by Law; desiring to
 "banish these, having herewith sent our Warrant to that pur-
 "pose, if, upon second thoughts, you do not disapprove there-
 "of. But if you think the Execution of these Persons so very
 "necessary to the great, and pious work of Reformation, we
 "refer it wholly to you; declaring hereby, that upon such
 "your Resolution signify'd to the Ministers of Justice, our
 "Warrant

"Warrant for their Reprieve is determin'd, and the Law to
 "have the course. And now let us ask you (for we are
 "willing to husband time, and to dispatch as much as may
 "be under one Message; God knows the distractions of
 "this Kingdom want a present Remedy) will there never be
 "a time to Offer to, as well as to ask of us? We will pro-
 "pose no more particulars to you, having no luck to please,
 "or to be understood by you; take your own time for what
 "concerns our particular: but be sure you have an early,
 "speedy Care of the Publick; that is, of the only Rule that
 "preserves the Publick, the Law of the Land; preserve the
 "Dignity and Reverence due to that. It was well said in
 "a Speech, made by a private Person; it was Mr Pym's
 "Speech against the Earl of *Strafford*, but published by Order
 "of the House of Commons this Parliament: the Law is that,
 "which puts a difference betwixt Good and Evil, betwixt
 "Just and Unjust. If you take away the Law, all things will
 "fall into a Confusion, every Man will become a Law unto
 "himself; which, in the depraved Condition of Human Na-
 "ture, must needs produce many great Enormities. Lust will
 "become a Law, and Envy will become a Law; Covetous-
 "ness and Ambition will become Laws; and what dictates,
 "what decisions; such Laws will produce, may easily be dis-
 "cerned. So said that Gentleman, and much more, very
 "well, in defence of the Law, and against Arbitrary Power.
 "It is worth looking over, and considering: and if the most
 "Zealous Defence of the true Protestant profession, and the
 "most Resolv'd Protection of the Law, be the most necessary
 "duty of a Prince, we cannot believe this miserable distance,
 "and misunderstanding, can be long continued between us;
 "we having often, and earnestly declared them to be the
 "chiefest desires of our Soul, and the End and Rule of all
 "our Actions. For *Ireland*, we have sufficiently, and we
 "hope satisfactorily, express'd to all our Good Subjects our
 "heartly sense of that sad business, in our several Messages on
 "that Argument, but especially in our last of the eighth of
 "this Month, concerning our Resolution for that Service;
 "for the Speedy, Honourable, and full performance whereof,
 "we conjure you to yield all possible assistance, and present
 "advice.

THIS Answer was receiv'd with the usual circumstances
 of trouble and discontent, the taxing of evil Counsellors, and
 Malignant Persons about the King; and that Clause about the
 Condemn'd Priests exceedingly displeased them; for by the
 King's reference of the matter entirely to them, he had re-
 moved the scandal from Himself, and laid it at Their doors;
 and though they were well content, and desirous, that they
 should

should have been Executed by the King's Warrant for taking off his own Reprieve (whereby they should have made him retract an Act of his own Mercy, and undeniably within his own Power; and thereby have lessened much of the Devotion of that People to him, when they should have seen him quit his Power of preserving them in the least degree) yet, for many reasons, they were not willing to take that harsh part upon Themselves; and so those Condemn'd Priests were no more prosecuted, and were much safer under that Reference for their Execution, than they could have been, at that time, by a Pardon under the Great Seal of *England*. For the other part of the Answer concerning the Magazine, it made no pause with them, but within fews days after, they sent a Warrant to their own Governour, *Sr John Horham*, to deliver it; and to their own Admiral, the Earl of *Warwick*, to transport it to *London*; which was, notwithstanding the King's inhibition, done accordingly. But they had at that time another Message from the King, which was referr'd to in the last Clause of that Answer, and came to their hands some few days before, that gave them some serious trouble and apprehension; the grounds and reasons of which were these:

THE King finding, that notwithstanding all the professions, and protestations he could make, the business of *Ireland* was still unreasonably objected to him, as if he were not cordial in the suppressing that Rebellion, sent a Message to both Houses:

"THAT being griev'd at the very Soul for the Calamities
 "of his Good Subjects of *Ireland*, and being most tenderly
 "sensible of the false, and scandalous Reports dispersed a-
 "mongst the People concerning the Rebellion there; which
 "not only wounded his Majesty in Honour, but likewise
 "greatly retarded the Reducing that unhappy Kingdom, and
 "multiply'd the distractions at Home, by weakning the mu-
 "tual Confidence between Him, and his People: out of his
 "Pious Zeal to the Honour of Almighty God, in establishing
 "the true Protestant Profession in that Kingdom, and his
 "Princely Care for the good of all his Dominions, he had
 "firmly resolv'd to go with all convenient speed into *Ireland*,
 "to Chastise those wicked and detestable Rebels, odious to
 "God, and all Good Men; thereby so to settle the Peace
 "of that Kingdom, and the Security of This, that the very
 "name of Fears and Jealousies might be no more heard of
 "amongst them.

"AND He said, as he doubted not, but his Parliament
 "would chearfully give all possible Assistance to this good
 "Work, so he required them, and all his Loving Subjects, to
 "believe, that he would, upon those Considerations, as ear-
 "nestly

*His Majesty's
 Message to
 both Houses
 Apr. 8. 1642
 offering to go
 in Person in-
 to Ireland.*

“neſtly purſue that Deſign, not declining any hazard of his
 “Perſon in performing that duty, which he ow’d to the de-
 “fence of God’s true Religion, and his diſtreſſed Subjects, as
 “he Undertook it for thoſe only ends; to the ſincerity of
 “which profeſſion, he called God to Witneſs, with this fur-
 “ther aſſurance, that he would never conſent, upon whatſo-
 “ever pretence, to a Toleration of the Popiſh Profeſſion
 “there, or the Abolition of the Laws now in force againſt
 “Popiſh Recuſants in that Kingdom.

“His Maſteſty further advertiſed them, that, towards this
 “Work, he intended to raiſe forthwith, by his Commiſſions,
 “in the Counties near *Wiſſ-Cheſter*, a Guard for his own Per-
 “ſon (when he ſhould come into *Ireland*) conſiſting of two
 “thouſand Foot, and two hundred Horſe, which ſhould be
 “Arm’d at *Wiſſ-Cheſter*, from his Magazine at *Hull*; at which
 “time, he ſaid, all the Officers, and Soldiers, ſhould take the
 “Oaths of Supremacy, and Allegiance; the Charge of raiſing
 “and paying whereof, he deſired the Parliament to add to
 “the former Undertakings for that War; which he would
 “not only well accept, but, if their Pay ſhould be found too
 “great a burthen to his good Subjects, he would be willing,
 “by the advice of his Parliament, to Sell, or Pawn, any of his
 “Parks, Lands, or Houſes, towards the ſupplies of the Ser-
 “vice of *Ireland*. With the addition of theſe Levies to the
 “former of *Engliſh* and *Scotiſh*, agreed upon in Parliament, he
 “ſaid, he hoped ſo to appear in that Action, that by the
 “Aſſiſtance of Almighty God, that Kingdom, in a ſhort time,
 “might be wholly reduced, and reſtored to Peace, and ſome
 “meaſure of Happineſs; whereby he might chearfully return,
 “to be welcom’d Home with the Affections and bleſſings of
 “all his good *Engliſh* People.

“TOWARDS this good Work, he ſaid, as he had lately
 “made diſpatches into *Scotland*, to quicken the Levies there
 “for *Ulſter*; ſo he heartily wiſhed, that this Parliament would
 “give all poſſible Expedition to thoſe, which they had Re-
 “ſolv’d for *Munſter* and *Conaught*; and hoped the encourage-
 “ment which the Adventurers, of whoſe intereſts he would
 “be always very careful, would hereby receive, would raiſe
 “full Sums of Money for the doing thereof. He told them,
 “that out of his earneſt deſire to remove all occaſions, which
 “did unhappily multiply miſunderſtandings between him
 “and his Parliament, he had likewiſe prepared a Bill to be
 “offer’d to them by his Attorney concerning the Militia;
 “whereby he hoped, the Peace and Safety of the Kingdom
 “might be fully ſecured to the general ſatiſfaction of all Men,
 “without Violation of his Maſteſty’s juſt Rights, or prejudice
 “to the Liberty of the Subject. If this ſhould be thankfully
 “receiv’d,

“receiv’d, he said, he should be glad of it; if refused, he must call God, and all the World, to judge on Whose part the default was; only he required, if the Bill should be approv’d of, that if any Corporation should make their Lawful Rights appear, they might be reserv’d to them. He said, before he would part from *England*, he would take all due care to entrust such Persons with such Authority in his absence, as he should find to be requisite for the Peace and Safety of the Kingdom, and the happy progress of the Parliament.

THEY neither before nor after ever receiv’d any Message from his Majesty, that more discomposed them; and so much the more, because that which gave them most Umbrage, could not be publickly and safely avowed by them. For though, to those who had a due reverence to the King’s Person, and an impatient desire, that all misunderstandings might be composed, they urged “the hazard, and danger to his Majesty’s Person, in such an Expedition, and the increase of Jealousies and Distractions, that would ensue in this Kingdom by his Absence; and to others, who from the barbarity, inhumanity, and unheard of cruelty, exercised by the Rebels in *Ireland* upon the *English* Protestants (of which they every day receiv’d fresh and bleeding evidence) had contracted a great animosity against that whole Nation, and were perswaded that the work of Extirpation was not so difficult as in truth it was; and to the Adventurers, who had disbursed great sums of Money, and had digested a full Assurance of Ample Recompence by Confiscations, and Forfeitures; “that by this Voyage of the King, a Peace would be in a short time concluded in that Kingdom, to their great disadvantage and damage; yet the true Reasons, which surprised and startled them, were, that hereby the managing the War of *Ireland* would be taken out of their hands; and so, instead of having a Nursery for Soldiers of their own, which they might imploy as they saw occasion; and a power of raising what Money they pleased in this Kingdom under that Title, which they might dispose, as they found most fit for their affairs; the King would probably in a short time recover one entire Kingdom to his Obedience, by which he might be able to preserve the Peace of the other two. However, working by several impressions upon several Affections, they found it no difficult thing to perswade, almost an Unanimous, aversion from approving the Journey; they who usually opposed their advice, not enduring to think of staying in *England*, where the power, at least for a time, would be in Them, whose Government, they knew, would be terrible when his Majesty should be in *Ireland*. Upon this they dispatched

dispatched a Magisterial Answer to the King, in which they told him ;

*The Answer
of both Houses
to his Ma-
jesty's Mes-
sage of his
going in Per-
son into Ire-
land, Apr.
28. 1642.*

"THAT the Lords and Commons in Parliament, had duely considered the Message, receiv'd from his Majesty, concerning his purpose of going into *Ireland* in his own Person to prosecute the War there, with the bodies of his *English* Subjects, Levied, Transported, and maintain'd at their Charge ; which he was pleas'd to propound to them, not as a matter wherein he desired the advice of his Parliament, but as already firmly Resolv'd on, and forthwith to be put in Execution, by granting out Commissions for the Levying of two thousand Foot, and two hundred Horse, for a Guard for his Person when he should come into that Kingdom ; wherein, they said, they could not but, with all reverence and humility to his Majesty, observe, that he had declined his Great Council, the Parliament, and varied from the usual Course of his Royal Predecessours ; that a business of so great Importance concerning the Peace and Safety of all his Subjects, and wherein they have a special interest, by his Majesty's promise, and by those great sums, which they had disbursed, and for which they stood engaged, should be concluded, and undertaken without their advice : whereupon, they said, they held it their duty to declare, that if, at that time, his Majesty should go into *Ireland*, he would very much endanger the safety of his Royal Person, and Kingdoms, and of all other States professing the Protestant Religion in *Christianity*, and make way to the execution of that cruel, and bloody design of the Papists, every where to root out and destroy the Reform'd Religion ; as the *Irish* Papists had already, in a great part, effected in that Kingdom ; and, in all likelihood, would quickly be attempted in other places, if the consideration of the strength, and union of the two Nations of *England* and *Scotland*, did not much hinder, and discourage the execution of any such design. And that they might manifest to his Majesty the danger and misery, which such a Journey and Enterprize would produce, they presented to his Majesty the reasons of that their humble opinion and advice ;

1. "HIS Royal Person would be subject, not only to the casualty of War, but to secret Practices and Conspiracies ; especially his Majesty continuing his profession to maintain the Protestant Religion in that Kingdom, which the Papists were generally bound by their vow to extirpate.

2. "IT would exceedingly encourage the Rebels ; who did generally profess and declare, that his Majesty did favour and allow their proceedings, and that this Insurrection was undertaken by the Warrant of his Commission ; and it would

“ would make good their expectation of great advantage, by
 “ his Majesty’s presence at that time, of so much distraction
 “ in this Kingdom, whereby they might hope the two Houses
 “ of Parliament would be disabled to supply the War there,
 “ especially there appearing less necessity of his Majesty’s Jour-
 “ ney at that time, by reason of the manifold Successes, which
 “ God had given against them.

3. “ IT would much hinder, and impair the means whereby
 “ the War was to be Supported, and increase the Charge of
 “ it, and in both these respects make it more insupportable to
 “ the Subject; and this, they said, they could confidently as-
 “ firm; because many of the Adventurers, who had already
 “ subscribed, did, upon the knowledge of his Majesty’s inten-
 “ tion, declare their Resolution not to pay in their Money;
 “ and others, very willing to have subscribed, do Now pro-
 “ fess the contrary.

4. “ HIS Majesty’s absence must necessarily very much in-
 “ terrupt the proceedings of Parliament; and deprive his
 “ Subjects of the benefit of those further Acts of Grace and
 “ Justice, which they should humbly expect from his Majesty
 “ for the establishing a perfect Union, and mutual Confi-
 “ dence between his Majesty and his People, and procuring
 “ and confirming the prosperity, and happiness of both.

5. “ IT would exceedingly increase the Fears and Jealou-
 “ sies of his People; and render their doubts more probable,
 “ of some Force intended, by some evil Counsels near his
 “ Majesty, in opposition of the Parliament, and favour of the
 “ Malignant Party of this Kingdom.

6. “ IT would bereave his Parliament of that advantage,
 “ whereby they were induced to undertake that War, upon
 “ his Majesty’s promise that it should be managed by Their
 “ advice; which could not be done, if his Majesty, contrary
 “ to their Counsels, should undertake to order, and govern it
 “ in his own Person.

“ UPON which, and divers other reasons, they said, they
 “ had Resolved, by the full and concurrent Agreement of
 “ both Houses, that they could not, with discharge of their
 “ duty, consent to any Levies or raising of Soldiers to be
 “ made by his Majesty, for that his intended expedition into
 “ Ireland; or to the payment of an Army, or Soldiers there,
 “ but such as should be employed, and governed according to
 “ their advice, and direction: and that, if such Levies should
 “ be made by any Commission of his Majesty’s, not agreed
 “ to by both Houses of Parliament, they should be forced to
 “ interpret the same to be raised to the Terrour of his Peo-
 “ ple, and Disturbance of the Publick Peace; and did hold
 “ themselves bound, by the Laws of the Kingdom, to

“apply the Authority of Parliament to suppress the same.

“AND, they said, they did further most humbly declare, “that if his Majesty should by ill Counsel be perswaded to go, “contrary to that advice of his Parliament (which they hoped his Majesty would not) they did not, in that case, hold “themselves bound to submit to any Commissioners, which “his Majesty should choose ; but did Resolve to Preserve “and govern the Kingdom ; by the Counsel and Advice of “Parliament, for his Majesty and his Posterity, according “to their Allegiance, and the Law of the Land : wherefore, “they did most humbly pray, and advise his Majesty, to desist from that his intended passage into *Ireland*, and from “all preparation of men and Armes tending thereunto ; and “to leave the managing of that War to his Parliament, according to his promise made unto them, and his Commission granted under his Great Seal of *England*, by advice of “both Houses ; in prosecution whereof, by God’s blessing, “they had already made a prosperous entrance, by many defeats of the Rebels, whereby they were much weakened and disheartned ; and had no probable means of subsistence, if “the proceedings of the two Houses were not interrupted by “that interposition of his Majesty’s Journey : but they hoped, upon good grounds, that, within a short time, without “hazard of his Person, and so much dangerous confusion in “his Kingdoms, which must needs ensue, if he should proceed in that resolution, they should be enabled fully to “vindicate his Majesty’s Right, and Authority in that Kingdom ; and punish those horrible, outrageous cruelties, which “had been committed in the murdering, and spoiling so “many of his Subjects ; and to bring that Realm to such a condition, as might be much to the Advantage of his Majesty and the Crown, and the Honour of his Government, “and Contentment of his People : for the better and more “speedy effecting whereof, they did again renew their humble desires of his return to his Parliament ; and that he “would please to reject all Counsels, and Apprehensions, “which might any way derogate from the faithfulness, and “Allegiance, which, in truth and sincerity, they had always “born and professed to his Majesty, and should ever make “good, to the uttermost, with their Lives and Fortunes.

To this Petition (the Matter whereof finding a general concurrence, there was the less Debate, and Contradiction upon the Manner of expression) being sent to the King to *Tork* ; and, in the mean time, all preparations being suspended for the necessary relief for *Ireland*, insomuch as with the Votes (which were presently printed) against the King’s Journey, there was likewise an Order printed to discourage
the

the Adventurers from bringing in their Money; the which, though it had no approbation from either House, and seem'd to be angrily interpreted by them, and the Printer was order'd to be found out and punished, yet did wholly stop that Service; and by the no-enquiry, or punishment of that boldness, appear'd to be done by design) his Majesty speedily returned this Answer.

"THAT he was so troubled, and astonished to find that ^{the King's} unexpected reception, and misunderstanding of his Message ^{Reply touch-} concerning his Irish Journey, that (being so much disap- ^{ing his going} pointed of the Approbation, and thanks he looked for to ^{into Ire-} that Declaration) he had great cause to doubt, whether it ^{land.} were in his power, to say, or do any thing, which would not fall within the like interpretation: but he said, as he had, in that Message, called God to Witness the sincerity of the profession of his only ends for the undertaking that Journey; so he must Appeal to all his good Subjects, and the whole world, whether the reasons alledged against that Journey, were of Weight to satisfy his understanding; or the Counsel, presented to dissuade him from it, were full of that Duty, as was like to prevail over his Affections. For the resolving of so great a business without the Advice of his Parliament, he said, he must remember them, how often, by his Message, he made the same offer, if They should advise him thereunto; to which they never gave him the least Answer; but, in the late Declaration, told him, that they were not to be satisfy'd with Words: so that he had reason to conceive, they rather avoided, out of regard to his Person, to give him Counsel to run that hazard, than that they disapproved the inclination. And, he asked them, what greater comfort, or security the Protestants of *Christendom* could receive, than by seeing a Protestant King venture, and engage his Person for the Defence of That Religion, and the Suppression of Popery? to which he solemnly protested, in that Message, never to grant a Toleration, upon what pretence soever, or any abolition of any of the Laws There in force against the Professors of it. And, he said, when he considered the great calamities, and unheard of cruelties, his poor Protestant Subjects in that Kingdom had undergone for the space of near, or full six Months; the growth and increase of the strength of those barbarous Rebels; and the evident probability of foreign supplies, if they were not speedily suppressed; the very slow succours hitherto sent them from hence: that the Officers of several Regiment, who had long time been allowed entertainment from them for that Service, had not raised any supply, or succour for that Kingdom; that many Troops of Horse had

"long lain near *Chester* untransported ; that the Lord Lieuten-
 "nant of *Ireland*, on whom he relied principally for the con-
 "duct, and managing of Affairs there, was still in this King-
 "dom, notwithstanding his Majesty's earnestness expressed,
 "that he should repair to his Command : and when he con-
 "sider'd the many and great scandals raised upon himself by
 "report of the Rebels, and not sufficiently discountenanced
 "Here, notwithstanding so many professions of his Majesty ;
 "and had seen a Book, lately printed by the Order of the
 "House of Commons, entituled a Remonstrance of divers re-
 "markable passages concerning the Church and Kingdom of
 "*Ireland*, wherein some Examinations were set down (how
 "improbable or impossible soever) which might make an im-
 "pression in the minds of many of his weak Subjects : And
 "lastly, when he had duely weigh'd the dishonour that would
 "perpetually lie upon this Kingdom, if full and speedy relief
 "were not dispatched thither ; his Majesty could not think
 "of a better way to discharge his Duty to Almighty God, for
 "the defence of the true Protestant Religion, or to manifest
 "his Affection to his three Kingdoms, for their preservation,
 "than by engaging his Person in that expedition, as many
 "of his Royal Progenitors had done, even in Foreign
 "Parts, upon causes of Less importance and piety, with
 "great Honour to themselves, and Advantage to this King-
 "dom. And therefore, he expected at least Thanks for such
 "inclination.

"FOR the danger to his Person, he said, he conceived it
 "necessary, and worthy of a King, to adventure his Life to
 "preserve his Kingdoms ; neither could it be imagined that
 "he would sit still, and suffer his Kingdoms to be lost, and
 "his good Protestant Subjects to be Massacre'd, without ex-
 "posing his own Person to the utmost hazard for their relief
 "and preservation ; his life, when it was most pleasant, being
 "nothing so precious to him, as it was, and should be, to go-
 "vern and preserve his People with Honour, and Justice.

"FOR an encouragement to the Rebels, because of the
 "Reports they raised, he said, he could not conceive, that the
 "Rebels were capable of a greater terrour, than by the Pre-
 "sence of their Lawful King, in the head of an Army, to
 "chastise them. Besides, it would be an unspeakable advan-
 "tage to them, if any report of Theirs could hinder him
 "from doing any thing, which were fit for him to do, if such
 "report were not raised : that would quickly teach them, in
 "this Jealous age, to prevent, by such reports, any other Per-
 "sons coming against them, whom they had no mind should
 "be employ'd.

"HE told them, that he marvelled, that the Adventurers,
 "whose

“whose advantage was a principal motive (next the reasons
 “before mentioned) to him, should so much mistake his pur-
 “pose; whose interest he conceived must be much improv-
 “ed by the expedition he hoped, by God’s blessing, to use
 “in that Service; that being the most probable way for the
 “speedy Conquest of the Rebels, their Lands were suffici-
 “ently secured by Act of Parliament.

“HE told him, he thought himself not kindly used, that
 “the addition of so few Men to their Levies (for a Guard to
 “his Person in *Ireland*) should be thought fit for their re-
 “fusai; and much more, that having used so many cautions
 “in that Message, both in the smallness of the number; in
 “his having raised none, until their Answer; in their being
 “to be raised only near the place of shipping; in their be-
 “ing There to be armed, and that not till they were ready
 “to be shipp’d; in the provision, by the Oaths, that none
 “of them should be Papists (all which were sufficient to de-
 “stroy all grounds of Jealousy of any Force intended by them
 “in opposition to the Parliament, or favour to any Malign-
 “nant Party) any suspicion should, notwithstanding, be
 “grounded upon it.

“NEITHER, he said, could it be understood, that when
 “he recommended the managing of that War to Them, he
 “intended to exclude Himself, or not to be concerned in
 “their Counsels, that if he found any Expedient (which, in
 “his conscience and understanding, he thought necessary for
 “that great work) he might not put it in practice. He told
 “them, he looked upon them as his great Council, whose ad-
 “vice he always had, and would, with great regard and
 “deliberation, weigh and consider: but he looked upon him-
 “self as neither deprived of his Understanding, or divested
 “of any Right he had, if there were no Parliament sitting.
 “He said, he called them together, by his own Writ and Au-
 “thority (without which they could not have met) to give
 “him faithful Counsel about his Great Affairs; but he re-
 “signed not up his own Interest, and Freedom; he never
 “subjected himself to their absolute Determination; He had
 “always weighed their Counsels, as proceeding from a Body
 “intrusted by him; and when he had dissented from them, he
 “had returned them the reasons, which had prevailed with
 “his conscience and understanding, with that Candour, which
 “a Prince should use towards his Subjects; and that Affec-
 “tion, which a Father could express to his Children. What
 “application had been used to rectify his Understanding by
 “Reasons, or what Motives had been given to persuade his
 “Affections, he would leave all the world to judge. And
 “then, he said, he must tell them, howsoever a Major part
 “might

“ might bind Them in matter of opinion, he held Himself
 “ (and he was sure the Law and Constitution of the King-
 “ dom had always held the same) as free to dissent, till his
 “ Reason was convinced, for the General Good, as if they
 “ had delivered No opinion.

“ FOR his Journey it self, he told them the circumstances
 “ of their Petition were such, as he knew not well what An-
 “ swer to return, or whether he were best to give Any ;
 “ that part which pretended to carry Reason with it, did no
 “ way satisfy him ; the Other, which was rather Reprehension
 “ and Menace, than Advice, could not stagger him. His
 “ Answer therefore was, that he should be very glad to find
 “ the work of *Ireland* so easy, as they seem'd to think it ;
 “ which did not so appear by any thing known to him, when
 “ he sent his Message : and though he would never refuse, or
 “ be unwilling, to venture his Person, for the Good and Safe-
 “ ty of his People, he was not so weary of his life, as to ha-
 “ zard it Imperinently ; and therefore, since they seem'd to
 “ have received Advertisements of some late, and great suc-
 “ cesses in that Kingdom, he would stay some time to see the
 “ event of those, and not pursue his resolution till he had
 “ given them a second notice : but, if he found the miserable
 “ condition of his poor Subjects of that Kingdom were not
 “ speedily relieved, he would, with God's Assistance, visit
 “ them with such Succours, as his Particular credit and inte-
 “ rest could supply him with, if They refused to Joyn with
 “ him. And he doubted not but the Levies he should make (in
 “ which he would observe punctually the former, and all other
 “ cautions, as might best prevent all Fears and Jealousies ; and
 “ to use no Power but what was Legal) would be so much
 “ to the satisfaction of his Subjects, as no person would dare
 “ presume to resist his Commands ; and if they should, at their
 “ Peril be it. In the mean time, he hoped his forwardness,
 “ so remarkable to that Service, should be notorious to all the
 “ world ; and that all scandals, laid on him in that business,
 “ should be clearly wiped away.

“ He told them, he had been so careful that his Journey
 “ into *Ireland* should not interrupt the proceedings of Par-
 “ liament, nor deprive his Subjects of any Acts of Justice, or
 “ further Acts of Grace for the real benefit of his People, that
 “ he had made a free offer of leaving such power behind, as
 “ should not only be necessary for the Peace and Safety of
 “ the Kingdom, but fully provide for the happy progress of
 “ the Parliament : and therefore he could not but wonder,
 “ since such power had been always left here, by Commis-
 “ sion, for the Government of this Kingdom, when his Proge-
 “ nitors had been out of the same, during the sitting of Parlia-
 “ ments ;

“ments; and since themselves desired that such a power might be left here by his Majesty, at his last going into *Scotland*; what Law of the Land they had now found, to dispute with them from submitting to such Authority, legally derived from him, in his absence; and to enable them to govern the Kingdom by their own meer Authority.

“For his return to *London*, he said, he had given them so full Answers in his late Declaration, and Answers that he knew not what to add to, if they would not provide for his Security with them, nor agree to remove to another place, where there might not be the same danger to his Majesty. He told them, he expected, that (since he had been so particular in the causes and grounds of his Fears) they should have sent him word, that they had published such Declarations against future Tumults and unlawful Assemblies, and taken such Courses for the suppressing Seditious Pamphlets and Sermons, that his Fears of that kind might be laid aside, before they should press his return.

“To conclude, he told them, he could wish, that they would, with the same strictness and severity, weigh and examine their Messages, and Expressions to him, as they did those they received from him. For he was very confident, that if they examined his Rights and Privileges, by what his Predecessors had enjoyed; and their own Addressses, by the usual courses observed by their Ancestors; they would find many Expressions in that Petition, warranted only by their own Authority; which indeed he forbore to take notice of, or to give Answer to, lest he should be tempted, in a just indignation, to express a greater passion, than he was yet willing to put on. God in his good time, he hoped, would so inform the hearts of all his Subjects, that he should recover from the mischief, and danger of that distemper; on whose good pleasure, he said, he would wait with all Patience, and Humility.

From this time the purpose was never resumed of his Majesty's Personal Expedition into *Ireland*, and so they were freed from that apprehension. The truth is, that Counsel for his Majesty's Journey into *Ireland* was very suddenly taken, and communicated to very few, without consideration of the objections, that would naturally arise against it; and was rather resolved as a probable Stratagem, to compose the two Houses to a better Temper and Sobriety, upon the Apprehension of the King's absence from them, and the inconveniencies that might thence ensue, than sufficiently considered and digested for Execution. For none were more violent against it than they who served the King most faithfully in the Houses; who, in the King's absence, and after such a

Grant of the Militia, as was then offer'd, looked upon themselves as sacrificed to the Pride and Fury of those, whose inclinations, and temper had begot the Confusions they complained of. But if it had been so duely weighed and consulted, and Men so disposed, that it might have been executed, and the King had taken a fit Council; and Retinue about him, it would at that time, have been no hard matter speedily to have reduced *Ireland*; and by the Reputation, and Authority of that, the other two Kingdoms might have been contained within their proper bounds. But, as it fell out, the Overture proved disadvantageous to the King, and gave the other Party new cause of Triumph, that they had plainly Threaten'd him out of what he pretended to have firmly resolved to do; which disadvantage was improved by the other Proposition, that attended it, concerning the Militia. For the Bill, sent by the King upon that Argument, brought the business again into Debate; and, though nothing was concluded upon it, the King was a loser by the Proposition though not so much as he fear'd he should have been, when he saw his Journey into *Ireland* desperate; upon the supposition of which, he had only made that tender.

THE Bill sent by the King, and preferred to the House of Peers, by the Attorney General, granted the Militia, for one year, to the Persons first nominated by the Houses in their Ordinances to his Majesty; and made those Persons, in the Execution of that Trust, subject to the Authority of his Majesty, and the two Houses jointly, whilst his Majesty was within the Kingdom; and, in his absence, of the two Houses only. What alterations, and amendments they made in it before they returned it again for the Royal Assent, will best appear by the King's Answer, which he sent to them at the time of his refusal to pass it; which was,

*His Majesty's
Message to
both Houses
Apr. 28.
1642. con-
cerning his
refusal to
pass the Bill
for the Mili-
tia.*

"THAT he had, with great deliberation and patience, weighed and consider'd (as it concern'd him much to weigh the consequences of every Law before he pass'd it) their Bill lately sent to him for the settling the Militia; and though it had not been usual to give any reason for the refusal to pass any Bill, it being absolutely in his power to pass, or not to pass any Act sent to him, if he conceived it prejudicial to himself, or inconvenient to his Subjects, for whom he was trusted, and must one day give an account; yet, in that business of the Militia, which, being misunderstood amongst his good Subjects, had been used as an Argument, as if he were not Vigilant enough for the Publick Safety, and lest he should be thought less Constant in his Resolutions, and that Bill to be the same he had sent to them, he thought fit to give them, and all the World, particular sa-

"tisfaction,

“tisfaction, why he could not, ought not, must not pass
 “that Bill, being the first publick Bill he had refused this
 “Parliament : and therefore, he told them, he must complain,
 “that having expressed himself so clearly and particularly to
 “them in that point, they should press any thing upon him,
 “which they could not but foresee he must refuse; except he
 “departed from those Resolutions, grounded upon so much
 “reason, he had so earnestly before acquainted them with,
 “and against which they had not given one Argument to sa-
 “tisfy his judgement.

“HE told them, he was pleased, they had declined the
 “unwarrantable course of their Ordinance (to the which, he
 “was confident, his good Subjects would never have yielded
 “their consent) and chosen that only right way of imposing
 “upon the People, which he would have allowed but for the
 “Reasons following :

“HE said, he had refused to consent to their Ordinance;
 “as for other things, so far that the power was put into the
 “Persons nominated therein by direction of both Houses of
 “Parliament, excluding his Majesty from any power in the
 “disposition, or execution of it together with them : He had
 “then advised them, for many Reasons, that a Bill should be
 “prepared; and after in his Answer of the 26th of *March* to
 “the Petition of both Houses, he had told them, if such a
 “Bill should be prepared with that due regard to his Majesty,
 “and care of his People, in the limitation of the power, and
 “other circumstances, he should recede from nothing he
 “formerly expressed.

“WHAT passed (enough to have discouraged him from
 “being further Sollicitous in that Argument) after his full,
 “and gracious Answers, he was content to forget. When
 “he resolv’d on his Journey into *Ireland*, so that by reason
 “of his absence, there might be no want of settling that
 “power; besides complying with their Fears; he sent, toge-
 “ther with a Message of that his purpose, a Bill for settling
 “the power for a Year; hoping in that time to return to
 “them, and being sure that, in much less time, they might
 “do the business, for which at first they seem’d to desire this;
 “which was, that they might securely consider his Message
 “of the 20th of *January* last. By that Bill, which he sent, he
 “consented to those Names they propos’d in their Ordinance,
 “and to the limitation of the power; provided, that himself
 “should not be able to execute any thing but by their advice;
 “and, when he should be out of the Kingdom, the sole Exe-
 “cution to be in them; with many other things, of so Arbi-
 “trary, and uncircumscribed a power, that he should not have
 “consented to, but with reference to the absence of his own

"Person out of the Kingdom ; and thought it the more sufferable, in respect the time was but for a Year. Whether that Bill, they had sent to him to pass, were the same, the World would judge.

"He said, they had, by that Bill tender'd to his Majesty, without taking notice of him, put the Power of the whole Kingdom, the Life and Liberties of the Subjects of all degrees, and qualities, into the hands of particular Men, for two Years. He asked them, if they could imagine he would trust such an Absolute Power in the hands of particular Persons, which he had refused to commit to both Houses of Parliament? Nay, if the Power it self were not too Absolute, too Unlimited, to be committed into any private Hands? Whether *St. John Hotbam's* high Insolence shew'd him not, what he might expect from any Exorbitant Legal Power, when he, by a Power not warrantable by Law, durst venture upon a Treasonable disobedience? But his Majesty would willingly know, and indeed such an account in ordinary Civility, he said, he might have expected, why he was, by that Act, absolutely Excluded from any Power, or Authority, in the Execution of the Militia. He said, sure their Fears and Jealousies were not of such a Nature, as were capable of no other Remedy, than by leaving him no Power in a point of the greatest Importance ; in which God, and the Law, had trusted him Solely, and which he had been contented to Share with them by his own Bill, by putting it, and a Greater, into the hands of particular Subjects. He asked them, what all Christian Princes would think of him, after he had passed such a Bill? How they would value his Sovereignty? And yet, he said, sure His Reputation with Forreign Princes was some ground of their Security. Nay, he was confident, by that time they had thoroughly consider'd the possible consequence of that Bill, upon Themselves, and the rest of his good Subjects, they would all give him Thanks for not consenting to it ; finding their Condition, if it should have passed, would not have been so pleasing to them. He told them, he hoped that Animadversion would be no breach of their Privileges. In that throng of business and distemper of Affections, it was possible, second thoughts might present somewhat to their Considerations, which escap'd them before.

"He remember'd them, that he had pass'd a Bill, this Parliament, at their entreaty, concerning the Captives of *Algiers*, and wav'd many objections of his own to the contrary, upon information that the business had been many Months consider'd by them ; whether it prov'd suitable to their intentions, or whether they had not, by some private

"Orders,

"Orders, suspended that Act of Parliament upon view of the mistakes, themselves best knew; as likewise, what other great alterations they had made upon other Bills, passed this Session. He told them, he could not pass over the putting their Names out of that Bill, whom before they had recommended to him in their Ordinance, not thinking fit, it seem'd, to trust those who would obey no Guide but the Law of the Land (he imagined they would not wish he should in his estimation of others follow that their Rule) and the leaving out, by special provision, the present Lord Mayor of *London*, as a Person in their disfavour; whereas, he said, he must tell them, his demeanour had been such, that the City, and the whole Kingdom, was beholding to him for his example.

"To conclude, he said, he did not find himself possessed of such an excess of Power, that it was fit to transfer, or consent it should be in other Persons, as was directed by that Bill; and therefore, he should rely upon that Royal Right and Jurisdiction, which God, and the Law had given him, for the suppressing of Rebellion, and resisting Foreign Invasion; which had preserved the Kingdom in the time of all his Ancestors, and which, he doubted not, but he should be able to execute. And, not more for his own Honour and Right, than for the Liberty and Safety of his People, he could not consent to pass that Bill.

THOUGH no Sober Man could deny the reasonableness of that Answer, and that there was indeed so great a difference between the Bill sent by his Majesty, and that presented to him from the two Houses, that it could not soberly be imagined he would consent to it; yet, it had been better for his Majesty, that the first Overture from himself had never been made; it giving new life, spirit, and hopes to them; and they making the People believe (who understood not the difference, and knew not the King's Pleasure, signify'd by both Houses of Parliament, was in effect the Pleasure of both Houses without the King) that his Majesty now refused to consent to what himself had offer'd, and propos'd; whilst his own Party (for so those begun now to be called, who preserv'd their Duty, and Allegiance entire) was as much troubled to find so Sovereign a Power of the Crown offer'd to be parted with to the two Houses, as was tender'd to them by the King's own Bill; and that it was possible for his Majesty to recede from his firmest Resolves, even in a point, that would not naturally admit of the least division, or diminution.

THE King, being well pleased that he had gone through one of his Resolutions, and not much troubled at the anger

it had produced, and finding his Court full of Persons of Quality of the Country, who made all expressions of Affection and Duty, which they thought would be most acceptable to him, resolv'd to undertake another Enterprize, which was of more importance, and which in truth was the sole motive of his Journey into those parts. The great Magazine of Armes and Ammunition, which was left upon the disbanding the Army, remained still at *Hull*, and was a nobler proportion than remained in the Tower of *London*, or all other his Majesty's Stores; and there had been formerly a purpose to have secured the same by the Earl of *New Castle's* Presence there, which had been disappointed, as hath been before mention'd, and Sr *John Horham* sent thither to look to it: who was now there only with one of the Companies of the Train'd-bands; and so the King resolv'd that he would Himself make a Journey thither, with his own usual Train; and being there, that he would stay there, till he had secured the place to him. This was his purpose; which he concealed to that degree, that very few about him knew any thing of it.

AS SOON as it was known that his Majesty meant to reside in *York*, it was easily suspected, that he had an Eye upon that Magazine; and therefore they made an Order in both Houses, "That the Magazine should be remov'd from *Hull* to the Tower; and Ships were making ready for the Transportation; so that his Majesty could no longer defer the execution of what he designed. And, being perswaded, by some who believ'd themselves, that if he went thither, it would neither be in Sr *John Horham's* Will, nor his Power, to keep him out of that Town; and that, being possessed of so considerable a Post, and of the Magazine there, he should find a better temper towards a Modest and Dutiful Treaty; his Majesty took the opportunity of a Petition presented to him by the Gentlemen of *York-shire* (who in truth were much troubled at the Order for removing the Magazine from *Hull*; and were ready to appear in any thing for his Service) in which, "They desired him to cast his Eye, and "Thoughts upon the safety of his own Person, and his Princely "Issue, and that whole County; a great means whereof, "they said, did consist in the Armes, and Ammunition at "*Hull*, placed there by his Princely care and charge; and "since, upon general apprehensions of dangers from Foreign "Parts, thought fit to be continued: and they did very earnestly beseech him, that he would take such course, that it "might still remain there, for the better securing those, and "the rest of the Northern parts. Hereupon, he resolv'd to go thither himself; and, the night before, he sent his Son the Duke of *York*, who was lately arrived from *Richmond*, accompanied

accompanied with the Prince Elector, thither, with some other Persons of Honour; who knew no more, than that it was a Journey given to the Pleasure, and Curiosity of the Duke. *Sr John Hotbom* receiv'd them with that Duty, and Civility that became him. The next morning early, the King took Horse from *York*; and, attended with two or three hundred of his Servants, and Gentlemen of the Country, rode thither; and, when he came within a Mile of the Town, sent a Gentleman to *Sr John Hotbom*, "to let him know that the King would that day Dine with him; with which he was strangely surpris'd, or seem'd to be so.

THE Man was of a fearful nature, and perplexed understanding, and could better resolve upon deliberation than on a sudden; and many were of opinion, that if he had been prepared dextrously before hand, and in confidence, he would have conformed to the King's Pleasure; for he was Master of a Noble Fortune in Land, and Rich in Money; of a very ancient Family, and well Allied; his Affections to the Government very good; and no Man less desir'd to see the Nation involv'd in a Civil War, than He: and, when he accepted this Employment from the Parliament, he never imagin'd it would engage him in Rebellion; but believed, that the King would find it necessary to comply with the Advice of his two Houses; and that the preserving that Magazine from being possess'd by him, would likewise prevent any possible rupture into Arms. He was now in great Confusion; and calling some of the chief Magistrates, and other Officers together to Consult, they perswaded him, not to suffer the King to enter into the Town. And his Majesty coming within an hour after his Messenger, found the Gates shut, and the Bridges drawn, and the Walls Mann'd; all things being in a readiness for the reception of an Enemy. *Sr John Hotbom* himself from the Walls, with several professions of Duty, and many expressions of Fear, telling his Majesty "that he durst not open the Gates, being intrusted by the Parliament; the King told him, "that he believ'd he had no Order from the Parliament to shut the Gates against him, or to keep him out of the Town. He replied, "that his Train was so great, that if it were admitted, he should not be able to give a good account of the Town. Whereupon the King offer'd "to enter with twenty Horse only, and that the rest should stay without. The which tho' Other refusing, the King desired him "to come to him, that he might confer with him, upon his Princely word of safety, and liberty to return. And when he excus'd himself likewise from that, his Majesty told him, "that as this Act of his was unparallel'd, so it would produce some notable Effect; that it was not possible for
"him

“him to sit down by such an Indignity, but that he would immediately Proclaim him Traitor, and proceed against him as such; that this Disobedience of his would probably bring many Miseries upon the Kingdom, and much loss of Blood; all which might be prevented, if he perform’d the Duty of a Subject; and therefore advised him to think sadly of it, and to prevent the necessary growth of so many Calamities, which must lie all upon his Conscience. The Gentleman, with much distraction in his looks, talked confusedly of the “Trust he had from the Parliament; then fell on his knees, and wished, “that God would bring Confusion upon Him, and His, if he were not a Loyal and Faithful Subject to his Majesty; but, in conclusion, plainly denied “to suffer his Majesty to come into the Town. Whereupon, the King caused him immediately to be Proclaim’d a Traitor; which the Other receiv’d with some expressions of Undatifulness and Contempt. And so the King, after the Duke of York, and the Prince Elector, with their Retinue, were come out of the Town, where they were kept some hours, was forced to retire that night to *Beverly*, four Miles from that place; and the next day returned to *York*, full of Trouble, and Indignation for the Affront he had received; which He foresaw would produce a very great deal of Mischief.

*The King's
Message to
the two Houses
concerning
Hull.*

THE King sent an Express to the two Houses with a Message, declaring what had passed; and “that *St John Hotham* had justifi’d his Treason and Disloyalty, by pretence of an “Order and Trust from Them; which as He could not produce, so, his Majesty was confident, They would not own; but would be highly sensible of the Scandal he had laid upon Them, as well as of his Disloyalty to his Majesty. “And therefore he demanded Justice of them against him, “according to Law. The Houses had heard before of the King’s going out of *York* thither, and were in terrible apprehension that he had possessed himself of the Town; and that *St John Hotham* (for they were not confident of him, as of a Man of their own Faith) by Promises or Menaces, had given up the place to Him; and, with this apprehension, they were exceedingly dejected; but when they heard the truth, and found that *Hull* was still in their hands, they were equally exalted, magnifying their trusty Governour’s Faith, and Fidelity against the King. In the mean time, the Gentlemen of the North expressed a marvelous sense and passion on his Majesty’s behalf; and offer’d to raise the Force of the County to take the Town by Force. But the King chose, for many Reasons, to send again to the Houses another Message, in which he told them,

“THAT

"THAT He was so much concern'd in the undutiful Af-
 "front (an Indignity all his good Subjects must disdain in his
 "behalf) he had received from *Sr John Hotham at Hull*, that *His Majesty's second Mes-*
 "he was impatient till he receiv'd Justice from them ; and *sage to the*
 "was compelled to call again for an Answer, being confi- *two Houses*
 "dent, however they had been so careful, though without his *concerning*
 "consent, to put a Garrison into that his Town, to secure it, *Hull.*
 "and his Magazine against any Attempt of the Papists, that
 "they never intended to dispose, and maintain it against
 "Him, their Sovereign. Therefore, he required them forth-
 "with (for the business would admit no delay) to take some
 "Speedy course, that his said Town and Magazine might be
 "immediately delivered up unto him ; and that such severe
 "exemplary proceedings should be against those Persons, who
 "had offer'd that insupportable Affront and Injury to him,
 "as by the Law was provided ; and, till that should be done,
 "he would intend no business whatsoever, other than the bu-
 "siness of *Ireland*. For, he said, if he were brought into a
 "condition so much worse than any of his Subjects, that,
 "whilst They all enjoyed their Privileges, and might not
 "have their Professions disturbed, or their Titles questioned,
 "He only might be spoiled, thrown out of his Towns, and
 "his Goods taken from him, it was time to examin how he
 "had lost those Privileges ; and to try all possible ways, by
 "the help of God, the Law of the Land, and the Affection
 "of his good Subjects to recover them, and to vindicate
 "himself from those Injuries ; and, if he should miscarry
 "therein, he should be the first Prince of this Kingdom,
 "which had done so, having no other end but to defend the
 "true Protestant Religion, the Law of the Land, and the li-
 "berty of the Subject ; and he desired God so to deal with
 "him, as he continued in those Resolutions.

INSTEAD of any Answer to his Majesty upon these two
 Messages, or sadly considering how this breach might be
 made up, they immediately publish (together with a declara-
 tion of their former jealousies of the Papists ; of the Malignant
 Party ; of the Lord *Digby's* Letter intercepted ; of the Earl of
New-Castle's being sent thither, upon which they had first sent
 down a Governour, and put a Garrison into *Hull*) several
 Votes and Resolutions, by which they Declared,

"THAT *Sr John Hotham* had done nothing but in obedi-
 "ence to the Command of both Houses of Parliament, and
 "that the Declaring of him a Traitor, being a Member of
 "the House of Commons, was a high breach of the Privilege
 "of Parliament, and being without due process of Law, was
 "against the Liberty of the Subject, and against the Law of
 "the Land.

AND

AND hearing at the same time, that a Letter coming from *Hull* to them the night after the King's being there, had been intercepted by some of his Majesty's Servants, they declared "that all such intercepting of any Letters sent to Them, was a "high breach of the Privilege of Parliament, which by the "Laws of the Kingdom, and the Protestation, they were "bound to defend with their Lives, and their Fortunes, and "to bring the Violator thereof to condign Punishment. Then they order'd, that the Sheriffs, and Justices of the Peace of the Counties of *York*, and *Lincoln*, and all others his Majesty's Officers, should suppress all Forces, that should be raised or gathered together in those Counties, either to force the Town of *Hull*, or stop the passages to, and from the same, or in any other way to disturb the Peace of the Kingdom. All which Votes, Orders, and Declarations, being printed, and diligently dispersed throughout the Kingdom before any Addres made to his Majesty in Answer of his Messages, and coming to his View, the King published an Answer to those Votes and Declarations, in which he said :

His Majesty's Answer to the Declarations, and Votes concerning Hull.

"SINCE his gracious Messages to both Houses of Parliament, demanding Justice for the high and unheard of affront offer'd unto him, at the Gates of *Hull*, by *Sr John Hotbarn*, were not thought worthy of an Answer; but that "instead thereof, they had thought fit, by their printed Votes, "to own and avow that unparallel'd Act to be done in obedience to the Command of both Houses of Parliament " (though at that time he could produce no such Command) "and, with other Resolutions against his proceedings there; "to publish a Declaration concerning that business, as an Appeal to the People, and as if their intercourse with his Majesty, and for his satisfaction, were now to no more purpose; though he knew that Course of theirs to be very "unsuitable to the modesty, and duty of Former times, and "unwarrantable by any Precedent, but what Themselves "had made; yet, he was not unwilling to joyn issue with them "in That way, and to let all the world know, how necessary, just, and Lawful all his proceedings had been in that "point, and that the Defence of those proceedings, was the "Defence of the Law of the Land, of the Liberty, and Property of the Subject; and that by the same Rule of Justice "which was now offer'd to him, all the Private interest, and "Title of all his good Subjects to all their Lands and Goods, "was confounded and destroyed. He remember'd them, that "Mr *Pym* had said in his Speech against the Earl of *Stratford* (which was published by Order of the Commons "House) the Law is the safeguard, the Custody of all private Interest, your Honours, your Lives, your Liberties,

"an.

"and Estates are all in the keeping of the Law ; without this
 "every Man hath a like Right to any thing. And he said,
 "he would fain be Answer'd what Title any Subject of his
 "Kingdom had to His House and Land, that He had not to
 "his Town of *Hull*? Or what right any Subject had to his Ma-
 "oney, Plate, or Jewels, that his Majesty had not to his Ma-
 "gazine, and Munition there? If he had ever such a Title,
 "he said he would know, when he Lost it? And if that Ma-
 "gazine and Munition, bought with his own money, were
 "ever His, when and how that Property went out of Him?
 "He very well knew the great and unlimited power of a
 "Parliament ; but he knew as well, that it was only in that
 "sense, as He was a Part of that Parliament ; without Him,
 "and against His consent, the Votes of either or both Hou-
 "ses together, must not, could not, should not (if he could
 "help it, for the Subjects sake, as well as his own) forbid any
 "thing that was enjoyn'd by the Law, or enjoyn any thing
 "that was forbidden by the Law. But in any such alterati-
 "on, which might be for the Peace, and Happiness of the
 "Kingdom, he had not, should not refuse, to consent. And
 "he doubted not, but that all his good Subjects would easily
 "discern, in what a miserable Insecurity and Confusion, they
 "must necessarily and inevitably be, if Desc nts might be al-
 "ter'd ; Purchases avoided ; Assurances and Conveyances can-
 "celled ; the Sovereign Legal Authority despised, and resist-
 "ed by Votes, or Orders of Either, or both Houses. And
 "this, he said, he was sure, was his Case at *Hull* ; and as it
 "was His this day, by the same Rule, it might be Theirs to
 "Morrow.

"AGAINST any desperate Design of the Papists, of which
 "they discours'd so much, he had sufficiently express'd his
 "Zeal, and Intentions ; and should be as forward to adven-
 "ture his own Life, and Fortune, to oppose any such designs
 "as the meanest Subject in his Kingdoms.

"FOR the Malignant Party, he said, as the Law had not,
 "to his knowledge, defin'd their condition, so neither House
 "had Presented them to his Majesty, under such a Notion,
 "as he might well understand, whom they intend'd ; and he
 "should therefore only enquire after, and avoid the Malignant
 "Party, under the Character of Persons disaffected to the
 "Peace, and Government of the Kingdom, and such who,
 "neglecting and despising the Law of the Land, had given them-
 "selves other Rules to walk by, and so dispensed with their
 "Obedience to Authority ; of those Persons, as Destructive
 "to the Common-wealth, he should take all possible caution.

"WHY any Letters intercepted from the Lord *Digby*,
 "wherein He mention'd a retreat to a place of Safety, should
 "hinder

“hinder him from visiting his own Fort, and how he had
 “opposed any ways of Accommodation with his Parliament,
 “and what ways, and Overtures had been offer’d in any way,
 “or like any desire of such Accommodation; or whether his
 “Message of the twentieth of *January* last, so often in vain
 “pressed by him, had not sufficiently expressed his earnest de-
 “sire of it, he said, all the world should judge; neither was
 “it in the power of any Persons to incline him to take Arms
 “against his Parliament, and his good Subjects, and miser-
 “ably to embroil the Kingdom in Civil Wars. He had given
 “sufficient Evidence to the world how much his Affections
 “abhorred, and how much his heart did bleed at, the appre-
 “hension of a Civil War. And, he said, God and the World
 “must judge, if his Care and Industry were not, only to de-
 “fend and protect the Liberty of the Subject, the Law of the
 “Kingdom, his own just Rights (part of that Law) and his
 “Honour much more precious than his Life: and if, in op-
 “position to these, any Civil War should arise, upon Whole
 “account the Blood, and Destruction that must follow, must
 “be cast: God, and his own Conscience, told him, that He
 “was clear.

“FOR Captain *Leg*’s being sent heretofore to *Hull*, or for
 “the Earl of *New-Castle*’s being sent thither by his Warrant
 “and Authority, he said, he had asked a question long ago,
 “in his Answer to both Houses concerning the Magazine at
 “*Hull*, which, he had cause to think, was not easy to be An-
 “swer’d; Why the general Rumour of the design of Papists,
 “in the Northern Parts, should not be thought sufficient
 “ground for his Majesty to put such a Person of Honour,
 “Fortune, and unblemished Reputation, as the Earl of *New-*
 “*Castle* was known to be, into a Town and Fort of his own,
 “where his own Magazine lay; and yet the same Rumour
 “be warrant enough to commit the same Town and Fort,
 “without his consent, to the hands of *Sr John Hotham*, with
 “such a power as was now too well known, and understood?
 “How his refusal to have that Magazine remov’d, upon the
 “Petition of both Houses, could give any advantage against
 “him, to have it taken from him, and whether it was a Re-
 “fusal, all men would easily understand, who read his An-
 “swer to that Petition; to which, it had yet not been thought
 “fit, to make any Reply.

“FOR the Condition of those Persons, who presented the
 “Petition to him at *York* (whom that Declaration call’d, some
 “few ill Affect’d Persons about the City of *York*) to con-
 “tinue the Magazine at *Hull*; he said, he made no doubt,
 “but that Petition would appear to be attested, both in Num-
 “ber, and Weight, by Persons of Honour and Integrity, and
 “much

“much more conversant with the Affections of the whole
 “Country, than most of those Petitions, which had been re-
 “ceiv’d with so much Consent, and Approbation. And for
 “the Presumption of interposing Their advice, his Majesty
 “the more wonder’d at that exception, when such encourage-
 “ment had been given, and Thanks declar’d to Multitudes
 “of mean, unknown People, Apprentices, and Porters, who
 “had accompanied Petitions of very strange Natures.

“FOR the manner of his going to *Hull*, he said, he had
 “clearly set forth the same, in his Message to both Houses
 “of that business; and for any Intelligence given to *Sr John*
 “*Hotham* of an intention to deprive Him of his Life, as he
 “knew there was no such intention in him, having given
 “him all possible Assurance of the same, at his being there,
 “so he was confident, no such Intelligence was given, or if
 “it were, it was by some Villain, who had nothing but Ma-
 “lice, or Design to fright him from his due Obedience; and
 “*Sr John Hotham* had all the reason to assure himself, that
 “his Life would be in much more danger by refusing to ad-
 “mit his King into his own Town and Fort, than by yield-
 “ing him that Obedience, which he ow’d by his Oaths of
 “Allegiance and Supremacy, and the Protestation, which he
 “knew was due and warrantable, by the Laws of the Land.
 “For the Number of his Attendants, though that could be
 “no Warrant for such a disobedience in a Subject, he said,
 “it was well known (as his Majesty had expressed in his
 “Message to both Houses, to which Credit ought to have
 “been given) that he offer’d to go into the Town with
 “twenty Horse only, his whole Train being Unarm’d; and
 “whosoever thought that too great an Attendance for his
 “Majesty, and his two Sons, had sure an intention to bring
 “him to a meaner Retinue, than they would yet avow.

“HERE then, he said, was his Case, of which all the
 “World should judge: his Majesty endeavour’d to visit a
 “Town, and Fort of his own, wherein his own Magazine
 “lay; a Subject, in defiance of him, shuts the Gates against
 “him; with Armed Men resists, denies, and opposes his En-
 “trance; tells him, in plain terms, he should not come in.
 “He said, he did not pretend to understand much Law, yet in
 “the point of Treason, he had had much Learning taught him
 “this Parliament; and if the sense of the Statute of the 25th
 “Year of *Edward* the III. Chap. 2. were not very differing
 “from the Letter, *Sr John Hotham*’s Act was no less than
 “plain High Treason: and he had been contemptibly stupid,
 “if he had after all those circumstances of grace and Favour
 “then shew’d to him, made any scruple to proclaim him
 “Traitor. And whether he were so, or no, if he wou’d

"render himself, his Majesty would require no other Trial,
 "than that which the Law had appointed to every Subject,
 "and which he was confident he had not, in the least degree,
 "violated in those proceedings; no more than he had done
 "the Privilege of Parliament, by endeavouring, in a just way,
 "to challenge his Own unquestionable Privileges. So that,
 "in such a Case, the declaring him Traitor, being a Member
 "of the House of Commons, without process of Law, should
 "be a breach of Privilege of Parliament (of which he was
 "sure none extended to Treason, Felony, or breach of Peace)
 "against the Liberty of the Subject, or against the Law of the
 "Land, he must have Other Reasons than bare Votes. He
 "said, he would know if *St John Hotham* had, with the
 "Forces by which he kept him out of his Town of *Hull*, pur-
 "sued him to the Gates of *Tork*, which he might as legally
 "have done, whether his Majesty must have stayed from
 "declaring him Traitor till Process of Law might have issued
 "against him? Would Fears and Jealousies dispense with ne-
 "cessary, and real Forms? And must his Majesty, when actual
 "War is levied upon him, observe Forms which the Law it
 "self doth not enjoyn? The Case, he said, was truly stated,
 "let all the World judge (unless the mere sitting of a Parlia-
 "ment did suspend all Laws, and his Majesty was the only
 "Person in *England* against whom Treason could not be com-
 "mitted) Where the fault was ; and whatsoever course he
 "should be driven to for the Vindication of that his Privi-
 "lege, and for the Recovery and Maintenance of his known
 "undoubted Rights, he doth promise, in the presence of
 "Almighty God, and as he hopes for his Blessing in his Suc-
 "cess, that he would, to the utmost of his power, defend and
 "maintain the true Protestant profession, the Law of the
 "Land, the Liberty of the Subject, and the just Privilege,
 "and Freedom of Parliament.

"FOR the Order of Assistance given to the Committee of
 "both Houses, concerning their going to *Hull*, he said, he
 "should say no more, but that those Persons, named in that
 "Order, he presum'd, would give no Commands, or his
 "good Subjects Obey other, than what were warranted
 "by the Law (how large and unlimited soever the Directions
 "are, or the Instructions might be) for to that Rule he
 "should apply his own Actions, and by it, require an Ac-
 "count from other men ; and that all his good Subjects might
 "the better know their duty in matters of this Nature, he
 "wished them carefully to peruse the Statute of the 11th
 "Year of King *Henry VII. Ch. 1.* He said, he would con-
 "clude with *Mr Pym's* own words : If the Prerogative of the
 "King overwhelm the Liberty of the People, it will be
 "turn'd

“turn'd to Tyranny; if Liberty undermine the Prerogatives
 “it would grow into Anarchy, and so into Confusion.

BESIDES their Declaration, Votes, and Orders in the justification of *Sr John Hotham*, for his better Encouragement, and for a ground of his Son's residence at *Hull*, in whom they had in truth a firmer Confidence than in the Father, they Order'd, “That if, by any Force or Accident, *Sr John Hotham* should lose his Life, or Otherwise die in that Service; “that his Son should succeed him in the Government; and having thus declared themselves, they thought fit at last to send some particular Answer to the King upon that business; which they were the rather inclin'd to do, that under that pretence, they might send down a Committee of their own to reside at *York*; whereby they might receive constant Animadversions of what happen'd, and what was design'd, and their Friends, and Dependents in that large, Populous, and Rich County, be the better confirm'd in their Affections, and Devotions to them; and, to that purpose, they sent down the Lord *Howard of Effrigg*, the Lord *Fairfax*, *Sr Hugh Cholmely* (a fast friend to *Sr John Hotham*) *Sr Philip Stapleton*, who had likewise married *Hotham's* Daughter, and *Sr Harry Cholmely*, who presented their Answer in writing to his Majesty; the which, being of a Mould unusual, and a Dial-ect higher and rougher than even themselves had yet used, I have thought fit to insert in the same words it was delivered; thus.

The most humble Answer of the Lords and Commons in Parliament to two Messages from your Sacred Majesty concerning Sr John Hotham's refusal to give your Majesty entrance into the Town of Hull.

“YOUR Majesty may be pleas'd to understand, that We, *The Answer of the Lords, and Commons to his Majesty's two Messages concerning Hull.*
 “your Great Council, finding manifold evidences of the
 “wicked Counsels, and Practices of some in near Trust, and
 “Authority about You, to put the Kingdom into a Com-
 “bustion, by drawing your Majesty into places of strength,
 “remote from your Parliament, and by exciting your People
 “to Commotions, under pretence of Serving your Majesty
 “against your Parliament, lest this Malignant Party, by the
 “advantage of the Town, and Magazine at *Hull*, should be
 “enabled to go through with their mischievous Intentions,
 “did, in discharge of the great Trust that lies upon us, and
 “by that Power which in Cases of this Nature resides in us,
 “Command the Town of *Hull* to be secured by a Garrison of
 “the adjoining Train'd-bands, under the Government of *Sr John Hotham*; requiring him to keep the same for the Ser-
 “vice of your Majesty and the Kingdom: wherein We have

“done nothing contrary to your Royal Sovereignty in that
“Town, or Legal Propriety in the Magazine.

“UPON consideration of Sr *John Hotbam's* proceeding at
“your Majesty's being there, We have upon very good
“ground, adjudged, that he could not discharge the Trust,
“upon which, nor make good the end, for which he was
“placed in the Guard of that Town and Magazine, if he had
“let in your Majesty with such Counsellors, and Company as
“were then about you.

“WHEREFORE, upon full Resolution of both Houses,
“We have declared Sr *John Hotbam* to be clear from that
“odious Crime of Treason; and have avowed, that he hath
“therein done nothing but in obedience to the Command of
“both Houses of Parliament; assuring our selves that, upon
“mature Deliberation, your Majesty will not interpret his
“obedience to such Authority to be an Affront to your Ma-
“jesty, or to be of that Nature, as to require any Justice to
“be done upon him, or satisfaction to be made to your Ma-
“jesty: but that you will see just cause of joyning with your
“Parliament, in preserving and securing the Peace of the King-
“dom; suppressing this wicked and Malignant Party; who, by
“false colours, and pretensions of maintaining your Majesty's
“Prerogative against the Parliament (wherein they fully agree
“with the Rebels in *Ireland*) have been the causes of all our
“Distempers, and Dangers.

“FOR prevention whereof We know no better remedy,
“than settling the Militia of the Kingdom, according to the
“Bill, which We have sent your Majesty, without any inten-
“tion of deserting, or declining the validity, or observance
“of that Ordinance, which past both Houses, upon your Ma-
“jesty's former refusal: but We still hold, that Ordinance to
“be effectual by the Laws of this Kingdom. And We shall
“be exceeding glad, if your Majesty by approving these our
“just, dutiful, and necessary proceedings, shall be pleased to
“entertain such Counsel, as We assure our selves, by God's
“blessing, will prove very advantageous for the Honour, and
“Greatness of your Majesty; the Safety, and Peace of your
“People; amongst which, We know none more likely to
“produce such good effects, than a Declaration from your
“Majesty of your purpose to lay aside all thoughts of going
“into *Ireland*, and to make a speedy return into these parts,
“to be near your Parliament. Which as it is our most hum-
“ble desire, and earnest Petition, so shall it be seconded with
“our most dutiful Care for the Safety of your Royal Per-
“son, and constant Prayers, that it may prove Honourable,
“and Successful, in the Happiness of your Majesty, and all
“your Kingdoms.

To

To this Answer, with all formality delivered to his Majesty by the Committee, the King return'd a quick Reply :

"THAT he had been in good hope, that the reason, why ^{His Majesty's} they had so long deferr'd their Answer to his Messages concerning *Hull*, had been; that they might the better have given him satisfaction therein, which now added the more to his Astonishment, finding their Answer, after so long ad-^{Reply.} visement, to be of that nature, which could not but rather increase, than diminish the present distractions, if constantly adher'd to by the Parliament. He asked them, whether it was not too much, that his Town of *Hull* had a Garrison put into it, to the great Charge of the Country, and inconvenience to the poor Inhabitants, without his Consent and Approbation, under colour at that time of Foreign Invasion, and Apprehensions of the Popish Party; but that now the reasons thereof should be enlarged with a Scandal to his Majesty, and his faithful Servants, only to bring in the more specious Pretext for the avowing *Sr John Hotham's* Insolence, and Treason?

"HE said, he had often heard of the great Trust, that by the Law of God and Man, was committed to the King for the Defence, and Safety of his People; but as yet he never understood, what Trust or Power was committed to either, or both Houses of Parliament, without the King; They being summon'd to Counsel, and Advise the King. But by what Law or Authority, they possess themselves of his Majesty's Right and Inheritance, he was confident, that as they had not, so they could not shew. He told them, that he had not hitherto given the least interruption to Publick Justice; but they, rather than suffer one of their Members, to come so much as to a legal Trial for the highest Crime, would make use of an Order of Parliament to countenance Treason, by declaring him free from that guilt, which all former Ages never accounted other; and that without so much as enquiring the opinion of the Judges; for he was confident, they would have mentioned their opinion, if they had asked it.

"THEREFORE he expected, that upon further, and better consideration of the great, and necessary consequence of the business of *Hull*, and seriously weighing, how much it did concern the Peace and Quiet of the Kingdom, they would, without further instance from his Majesty, give him full, and speedy Justice against *Sr John Hotham*. And, he said, he would leave all his good People to think, what hope of Justice there was left for them, when they Refused, or Delayed to give their own Sovereign satisfaction. And, as he had already said, till that should be done, he would in-

"tend no business whatsoever other than that of *Ireland*.
 "AND he said, he likewise expected that They would not
 "put the Militia in execution, until they could shew him
 "by what Law they had Authority to do the same, without
 "his Consent; or if they did, he was confident, that he should
 "find much more obedience according to Law, than they
 "would do against Law. And he should esteem all those,
 "who should obey them therein, to be disturbers of the Peace
 "of the Kingdom; and would, in due Season, call them to a
 "Legal account for the same.

"CONCERNING his return, he told them, he never heard
 "that the slandering of a King's Government, and his faith-
 "ful Servants, the refusing of him Justice, and in a Case of
 "Treason, and the seeking to take away his undoubted and
 "Legal Authority, under the pretence of putting the King-
 "dom into a posture of Defence, were Arguments to induce a
 "King to come near, or hearken to his Parliament.

THE King dispatched this Answer the sooner, that the
 Country might be freed from the Impression, the Presence and
 Activity of the Committee made in them; but when he deliv-
 er'd it to them, and required them to make all convenient
 hast with it to the Houses, they told him, "They would
 "send it by an Express, but that themselves were required,
 "and appointed still to reside at *York*. The King told them,
 "that he liked not such Supervisors near him, and wished
 "them to be very careful in their carriage; that the Country
 "was visibly then very well affected; and if he found any
 "declension, he well knew to whom to impute it; and
 "should be compelled to proceed in another manner against
 "them, than, with reference to their Persons (for they were
 all then reputed Moderate Men, and had not been thought
 disaffected to the Government of Church, or State) "he should
 "be willing to do. They Answer'd with a sullen confidence,
 "that they should demean themselves according to their In-
 "structions; and would perform the Trust reposed in them
 "by the two Houses of Parliament. Yet such was the ticklish-
 ness of the King's Condition, that, though it was most Evi-
 dent that their coming, and staying there was to pervert, and
 corrupt the Loyalty, and Affections of those parts, and to in-
 fuse into them Inclinations contrary to their Allegiance, it was
 not thought Counsellable at that time, either to commit them
 to Prison, or to expel them from that City, or to inhibit them
 the freedom of his own Court, and Presence; and so they con-
 tinued, for the space of above a Month, in *York*, even in de-
 fence of the King.

THE Militia was the Argument, which they found made
 deepest impression in the People, being totally ignorant what

it was, or what the consequence of it might be; and so believing whatsoever they told them concerning it. And therefore they Resolv'd to drive that Nail home; and though, for want of their Imminent Danger, and during the time of the King's Treary, and Overture of a Bill, they had forborn the execution of their Ordinance; yet the frequent Musters of Volunteers without Order, almost in all Countries, by the bare Authority of their Votes, gave them sufficient Evidence how open the People were to their Commands; at least how unprepared Authority was to resist, and oppose them: and therefore, after the King had displaced their two Favourites, and refused to pass the Bill for the Militia, and *Sr John Hotham* had refused to let the King come into the Town of *Hull*, and They had justify'd him for so doing, they prepared a Declaration concerning the whole State of the Militia, as the Resolution of the Lords and Commons upon that matter; in which they said,

"THAT holding it necessary for the Peace, and Safety of *The Decla-*
 "the Kingdom, to settle the Militia thereof, they had, for *ration of the*
 "that purpose, prepared an Ordinance of Parliament, and with *two Houses*
 "all humility had presented the same to his Majesty for his *about the*
 "Royal Assent. Who, notwithstanding the faithful Advice *Militia,*
 "of his Parliament, and the several Reasons offer'd by them, *May 5. 1642*
 "of the necessity thereof for the securing of his Majesty's Per-
 "son, and the Peace and Safety of his People, did refuse to
 "give his Consent; and thereupon, they were necessitated,
 "in discharge of the Trust reposed in them, as the Repre-
 "sentative Body of the Kingdom, to make an Ordinance,
 "by the Authority of both Houses, to settle the Militia,
 "warranted thereunto by the Fundamental Laws of the Land:
 "that his Majesty, taking notice thereof, did, by several Mes-
 "sages, invite them to settle the same by Act of Parliament;
 "affirming in his Message sent in Answer to the Petition of
 "both Houses, presented to his Majesty at *Tork, March 26.*
 "that he always thought it necessary the same should be set-
 "tled, and that he never denied the thing, only denied the
 "Way; and for the Matter of it, took exception only to the
 "Preface, as a thing not standing with his Honour to con-
 "sent to; and that Himself was excluded in the Execution,
 "and for a time unlimited: whereupon the Lords and Com-
 "mons, being desirous to give his Majesty all satisfaction that
 "might be, even to the least Tittle of Form and Circumstances,
 "when his Majesty had pleased to offer them a Bill ready
 "drawn, had, for no other cause, than to manifest their
 "heartly Affection to comply with his Majesty's desires, and
 "obtain his consent, entertain'd the same, in the mean time
 "no way declining their Ordinance; and to express their earnest

"Zeal to correspond with his Majesty's desires (in all things
 "that might consist with the Peace, and Safety of the King-
 "dom, and the Trust reposed in them) did pass that Bill,
 "and therein omitted the Preamble inserted before the Or-
 "dinance; limited the time to less than two Years; and con-
 "fined the Authority of the Lieutenants to these three parti-
 "culars, Namely, Rebellion, Insurrection, and Foreign In-
 "vasion; and return'd the same to his Majesty for his Royal
 "Assent: but all these expressions of Affection and Loyalty,
 "all those desires, and earnest endeavours to comply with his
 "Majesty, had, to their great grief and sorrow, produced no
 "better Effects than an absolute denial, even of that which
 "his Majesty by his former Messages, as they conceived, had
 "promised: the Advice of evil and wicked Councils receiv-
 "ing still more Credit with him, than that of his Great Coun-
 "cil of Parliament in a matter of so high Importance, that
 "the Safety of his Kingdom, and Peace of his People, de-
 "pended upon it.

"BUT now, what must be the exceptions to that Bill? Not
 "any sure that were to the Ordinance; for a care had been
 "taken to give satisfaction in all those particulars. Then the
 "exception was, because that the disposing and execution
 "thereof was referr'd to both Houses of Parliament, and his
 "Majesty excluded; and now that, by the Bill, the Power
 "and Execution was ascertain'd, and reduced to particulars,
 "and the Law of the Realm made the Rule thereof, his Ma-
 "jesty would not trust the Persons. The Power was too great,
 "too unlimited, to trust them with. But what was that Power?
 "Was it any other, but, in express terms, to suppress Re-
 "bellion, Insurrection, and Foreign Invasion? And who
 "were those Persons? Were they not such as were nominated
 "by the Great Council of the Kingdom, and Assented to by
 "his Majesty? And was it too great a Power, to trust those
 "Persons with the suppression of Rebellion, Insurrection,
 "and Foreign Invasion? Surely, they said, the most wicked
 "of them who advised his Majesty to that Answer, could not
 "suggest, but that it was necessary for the safety of his Ma-
 "jesty's Royal Person, and the Peace of the Kingdom, such
 "a Power should be put in some hands; and there was no
 "pretence for exception to the Persons. They said, his Ma-
 "jesty had, for the space of above fifteen years together, not
 "thought a Power, far exceeding that, to be too great to in-
 "trust particular Persons with, to whose Will the Lives, and
 "Liberties of his People, by Martial Laws, were made Sub-
 "ject; for such was the Power given Lord Lieutenants, and
 "Deputy Lieutenants, in every County of this Kingdom,
 "and that without the consent of the People, or Authority

"of

“of Law. But now in case of extreme Necessity, upon the
 “advice of both Houses of Parliament, for no longer space
 “than two years, a lesser Power, and that for the safety of
 “King and People, was thought too great to trust particular
 “Persons with, though named by both Houses of Parlia-
 “ment, and approved by his Majesty himself: and surely, if
 “there were a necessity to settle the Militia (which his Maje-
 “sty was pleased to confess) the Persons could not be intrust-
 “ed with less Power than that, to have it at all effectual.
 “And the Precedens of former Ages, when there happen’d a
 “necessity to raise such a Power, never streighten’d that
 “Power to a narrower compass; witness the Commissions of
 “Array in several Kings Reigns, and often issued out by the
 “Consent and Authority of Parliament.

“THE Lords and Commons therefore, intrusted with the
 “Safety of the Kingdom, and Peace of the People (which,
 “they called God to witness, was their only aim) finding
 “themselves denied those their so necessary and just Demands,
 “and that they could never be discharged before God or
 “Man, if they should suffer the Safety of the Kingdom, and
 “Peace of the People, to be exposed to the Malice of the
 “Malignant Party at Home, or the Fury of Enemies Abroad:
 “and knowing no other way to encounter the imminent, and
 “approaching Danger, but by putting the People into a fit
 “posture of Defence, did Resolve to put their said Ordinance
 “in present execution; and did require all Persons in Autho-
 “rity, by vertue of the said Ordinance, forthwith to put the
 “same in execution, and all others to obey it, according to
 “the Fundamental Laws of the Kingdom in such cases, as
 “they tender’d the upholding of the true Protestant Reli-
 “gion, the Safety of his Majesty’s Person, and his Royal Po-
 “sterity, the Peace of the Kingdom, and the Being of this
 “Common-wealth. This Declaration (being in Answer to a
 “Message from his Majesty) was Printed, and, with the usual
 “care and dexterity, dispersed throughout the Kingdom, with-
 “out so much as sending it to the King; and, thereupon,
 “Warrants and Directions issued into all parts, for the Exercising
 “the Militia.

THIS being the first Declaration they had in plain terms
 published against the King, without ever communicating it,
 or presenting it to him, as they had done all the rest, his Ma-
 jesty was the more troubled how to take notice of it, but
 conceiving it necessary to apply some Antidote to this Poy-
 son, the violent operation whereof he had reason to appre-
 hend, he published a Declaration by way of Answer to that
 Declaration, in which he said,

“THAT

*The King's
Declaration
in Answer
to the fore-
going De-
claration.*

"THAT he very well understood, how much it was be-
low the High and Royal Dignity (wherein God had placed
him) to take notice of, much more to trouble himself
with Answering, those many Scandalous, Seditious Pam-
phlets, and Printed Papers, which were scatter'd, with such
great licence throughout the Kingdom (notwithstanding
his Majesty's earnest desire, so often in vain press'd, for a
Reformation) though he found it evident, that the minds
of many of his weak Subjects, had been, and still were poi-
son'd by those means; and that so general a terror had
possessed the minds and hearts of all Men, that whilst the
Presses swarm'd with, and every day produced, new Tracts
against the established Government of the Church and State,
most Men wanted the Courage, or the Conscience to write,
or the opportunity and encouragement to publish such
composed, sober Animadversions, as might either preserve
the minds of his good Subjects from such infection, or re-
store and recover them, when they were so infected: but,
his Majesty said, he was contented to let himself fall to any
Office, that might undeceive his People, and to take more
pains that way by his own Pen, than ever King had done,
when he found any thing that seem'd to carry the Repu-
tation, and Authority of either, or both Houses of Parlia-
ment, and would not have the same refuted, and disputed
by Vulgar and Common Pens, till he should be thoroughly
informed whether those Acts had in truth that Counte-
nance and Warrant, they pretend: which regard of his,
his Majesty doubted not but, in time, would recover that
due Reverence (the absence whereof he had too much rea-
son to complain of) to his Person and his Messages, which
in all Ages had been paid, and, no doubt, was due to the
Crown of England.

"He said, he had therefore taken notice of a Printed Pa-
per, Entituled a Declaration of both Houses, in Answer to
his last Message concerning the Militia, published by Com-
mand; the which he was unwilling to believe (both for
the matter of it, the expressions in it, and the manner of
publishing it) could result from the consent of both Houses;
neither did his Majesty know by what Lawful Command,
such Uncomely, Irreverent mention of Him could be
published to the World: And, though Declarations of
that kind had of late, with too much boldness, broken in
upon his Majesty, and the whole Kingdom, when one,
or both Houses had thought fit to communicate their Coun-
sels, and Resolutions to the People; yet, he said, he was
unwilling to believe, that such a Declaration as that could
be published in Answer to his Message, without vouchsafing

"at least to send it to his Majesty as their Answer. Their
 "business, for which they were met by his Writ and Autho-
 "rity, being to Counsel him for the good of his People,
 "not to write against him to his People; nor had any con-
 "sent of his Majesty for their long continuing together en-
 "abled them to do any thing, but what they were first sum-
 "mon'd by his Writ to do. At least he would believe,
 "though misunderstanding and jealousy (the Justice of God,
 "he said, would overtake the Fomenters of that jealousy,
 "and the Promoters and Contrivers of that misunderstand-
 "ing) might produce, to say no worse, those very unto-
 "ward Expressions, that if those Houses had contrived that
 "Declaration as an Answer to his Message, they would have
 "vouchsafed some Answer to the Questions proposed in his,
 "which, he professed, did, and must evidently prevail over
 "his understanding; and in their Wisdom and Gravity, they
 "would have been sure to have stated the matters of Fact, as
 "(at least to ordinary understandings) might be unquestion-
 "able; neither of which was done by that Declaration.

"His Majesty desired to know, why he was by that Act
 "absolutely excluded from any Power, or Authority in the
 "execution of the Militia; and, he said, he must appeal to
 "all the World, whether such an Attempt, were not a great-
 "er and juster ground for Fear and Jealousy in Him, than
 "any one that was avowed for those Destructive Fears and
 "Jealousies which were so publickly own'd, almost, to the
 "ruin of the Kingdom. But his Majesty had been told, that
 "he must not be jealous of his Great Council of both Houses
 "of Parliament: He said, he was not, no more than they
 "were of his Majesty, their King; and hitherto they had not
 "avow'd any Jealousy of, or Disaffection to his Person; but
 "imputed all to his evil Counsellors, to a Malignant Party,
 "that was not of their minds; so his Majesty did (and, he
 "said, he did it from his Soul) profess no Jealousy of his Par-
 "liament, but of some Turbulent, Seditious, and Ambitious
 "Natures; which, being not so clearly discern'd, might have
 "an influence even upon the Actions of both Houses: and
 "if that Declaration had pass'd by that consent (which he
 "was not willing to believe) he said, it was not impossible,
 "but that the apprehension of such Tumults, which had driven
 "his Majesty from his City of *London*, for the Safety of his
 "Person, might make such impression upon other Men, not
 "able to remove from the danger, to make them Consent,
 "or not to own a Dissent, in matters not agreeable to their
 "Conscience, or Understanding.

"He said, he had mention'd, in that his Answer, his dis-
 "like of putting their Names out of the Bill, whom before
 "they

"they recommended to his Majesty, in their pretended Or-
 "dinance, and the leaving out, by special Provision, the pre-
 "sent Lord Mayor of *London*; to all which the Declaration
 "afforded no Answer; and therefore he could not suppose it
 "was intended for an Answer to that his Message, which
 "whosoever looked upon, would find to be in no degree An-
 "swer'd by that Declaration; but it inform'd all his Majesty's
 "Subjects, after the mention with what humility the Ordi-
 "nance was prepared, and presented to his Majesty (a mat-
 "ter very evident in the Petitions, and Messages concerning
 "it) and his refusal to give his Consent, notwithstanding the
 "several reasons offer'd, of the necessity thereof for the se-
 "curing of his Person, and the Peace and Safety of his Peo-
 "ple (whether any such reasons were given, the weight of
 "them, and whether they were not clearly and candidly An-
 "swer'd by his Majesty, the World would easily judge) that
 "they were at last necessitated to make an Ordinance by Au-
 "thority of both Houses, to settle the Militia, warranted
 "thereunto by the Fundamental Laws of the Land. But, his
 "Majesty said, if that Declaration had indeed intended to
 "have Answer'd him, it would have told his good Subjects
 "what those Fundamental Laws of the Land were, and
 "where to be found; and would, at least, have mention'd one
 "Ordinance, from the first beginning of Parliaments to this
 "present Parliament, which endeavour'd to impose any thing
 "upon the Subject without the King's Consent; for of such,
 "he said, all the enquiry he could make could never produce
 "him one instance. And if there were such a Secret of the
 "Law, which had lain hid from the beginning of the World
 "to that time, and now was discover'd to take away the
 "Just, Legal Power of the King, he wish'd there were not
 "some other Secret (to be discover'd when they pleas'd)
 "for the ruin, and destruction of the Liberty of the Subject.
 "For, he said, there was no doubt if the Votes of both
 "Houses had any such Authority to make a new Law, it had
 "the same Authority to repeal the old; and then, what would
 "become of the long establish'd Rights and Liberties of
 "the King and Subject, and particularly of *Magna Charta*,
 "would be easily discern'd by the most ordinary Under-
 "standing.

"He said, it was true, that he had (out of tenderness of
 "the Constitution of the Kingdom, and care of the Law,
 "which he was bound to defend, and being most assured of
 "the unjustifiableness of the pretended Ordinance) invited,
 "and desired both Houses of Parliament to settle whatsoever
 "should be fit of that nature by Act of Parliament. But was
 "he therefore oblig'd to pass whatsoever should be brought

"to him of that kind? He did say in his Answer to the Pe-
 "tition of both Houses presented to him at *York* the 26th
 "of *March* last (and he had said the same in other passages
 "before) that he always thought it necessary that the bu-
 "siness of the Militia should be settled, and that he never
 "denied the Thing, only denied the Way; and he said the
 "same still; and that since the many Disputes and Votes,
 "upon Lords Lieutenants and their Commissions (which had
 "not been begun by his Majesty, nor his Father) had so dis-
 "countenanced that Authority, which for many years toge-
 "ther was happily looked upon with reverence, and obedi-
 "ence by the People, his Majesty did think it very necessary,
 "that some wholesome Law should be provided for that Bu-
 "siness; but he had declared in his Answer to the pretend-
 "ed Ordinance, that he expected, that that necessary Power
 "should be first invested in his Majesty, before he consented
 "to transfer it to other men; neither could it ever be ima-
 "gined that he would consent that a greater Power should
 "be in the hands of a Subject, than he was thought worthy
 "to be trusted with Himself. And if it should not be thought
 "fit to make a new Act or Declaration in the point of the
 "Militia, he doubted not, but he should be able to grant such
 "Commissions as should very legally enable those he trusted,
 "to do all Offices for the peace and quiet of the Kingdom, if
 "any disturbance should happen.

"But it was said, he had been pleased to offer them a
 "Bill ready drawn, and that They, to express their earnest
 "Zeal to correspond with his desire, did pass that Bill; and
 "yet all that expression of Affection and Loyalty, all that ear-
 "nest desire of theirs to comply with his Majesty, produced
 "no better effect than an absolute denial, even of what by
 "his former Messages his Majesty had promised; and so that
 "Declaration, he said, proceeded, under the pretence of men-
 "tioning evil and wicked Councils, to censure and reproach
 "his Majesty in a Dialect, that, he was confident, his good
 "Subjects would read, on his behalf, with much Indigna-
 "tion. But, his Majesty said, sure if that Declaration had
 "passed the examination of both Houses of Parliament, they
 "would never have affirmed, that the Bill he had refused to
 "pass, was the same he had sent to them, or have thought
 "that his Message, wherein the difference, and contrariety
 "between the two Bills, was so particularly set down, would
 "be Answer'd with the bare Averring them to be one and
 "the same Bill: nor would they have declar'd, when his ex-
 "ceptions to the Ordinance, and the Bill, were so notori-
 "ously known to all, that care being taken to give satisfacti-
 "on in all the particulars he had excepted against in the Or-
 "dinance,

"dinance, he had found New exceptions to the Bill ; and yet
 "that very Declaration confessed, that his exception to the
 "Ordinance was, that, in the disposing and execution there-
 "of, his Majesty was Excluded : and was not that an express
 "reason, in his Answer, for his refusal of the Bill ; which
 "that Declaration would needs confute ?

"BUT the Power was no other than to suppress Rebelli-
 "on, Insurrection, and Forreign Invasion : and the Persons
 "trusted, no other than such as were nominated by the Great
 "Council of the Kingdom, and assented to by his Majesty :
 "and they asked, if that were too Great a power to trust
 "those Persons with ? Indeed, his Majesty said, whilst
 "so great Liberty was used in Voting, and Declaring men to
 "be Enemies to the Common-wealth (a phrase his Majesty
 "scarce understood) and in censuring men for their Service,
 "and Attendance upon his Majesty's Person, and in his law-
 "ful Commands, great heed must be taken into what hands
 "he committed such a Power to suppress Insurrection, and
 "Rebellion ; and if Insurrection and Rebellion had found
 "other Definitions than what the Law had given, his Majesty
 "must be sure that no Lawful power should Justify those De-
 "finitions : and if there were Learning found out to make Sr
 "*John Hotbom's* taking Armes against him, and keeping his
 "Majesty's Town and Fort from him, to be no Treason or
 "Rebellion, he knew not whether a new Discovery might
 "not find it Rebellion in his Majesty to Defend Himself
 "from such Armes, and to endeavour to recover what was
 "so taken from him ; and therefore, he said, it concern'd him,
 "till the known Laws of the Land were allow'd to be Judge
 "between them, to take heed into what hands he committed
 "such power.

"BESIDES, he asked, whether it could be thought, that
 "because he was willing to trust certain Persons, that he was
 "obliged to trust them in Whatsoever they were willing to
 "be trusted ? He said, no Private hands were fit for such a
 "Trust ; neither had he departed from any thing, in the
 "least degree, he had offer'd or promised before ; though He
 "might with as much reason have withdrawn his Trust
 "from some Persons, whom before he had accepted, as They
 "had done from others, whom they had recommended. For
 "the power which he was charged to have committed to par-
 "ticular Persons, for the space of fifteen years, by his Com-
 "missions of Licutenancy, it was notoriously known that it
 "was not a power created by his Majesty, but continued
 "very many years, and in the most happy times this King-
 "dom had enjoyed, even those of his renown'd Predeces-
 "sors, Queen *Elizabeth*, and his Father of happy memory ;

“and whatever Authority had been granted by those Commissions, which had been kept in the old forms, the same was determinable at his Majesty’s pleasure; and he knew not, that they produced any of those Calamities, which might give his good Subjects cause to be so weary of them, as to run the hazard of so much Mischief, as that Bill, which he had refused, might possibly have produced.

“FOR the Precedents of former Ages in the Commissions of Array, his Majesty doubted not, but when any such had issued out, that the King’s consent was always obtain’d, and the Commissions determinable at His pleasure; and then what the extent of Power was, would be nothing applicable to that Case of the Ordinance.

“BUT whether that Declaration had refused his Majesty’s reasons for his refusal to pass the Bill, or no, it resolved, and required all persons in Authority thereby to put the Ordinance in present execution; and all Others to obey it according to the Fundamental Laws of the Land. But, his Majesty said, He, whom God had trusted to maintain and defend those Fundamental Laws, which, he hoped, God would blefs to secure him, did declare, that there was no Legal Power in either, or both Houses, upon any pretence whatsoever, without his Majesty’s consent, to Command any part of the Militia of the Kingdom; nor had the like ever been commanded by either, or both Houses, since the first foundation of the Laws of the Land; and that the Execution of, or the Obedience to that pretended Ordinance, was against the Fundamental Laws of the Land, against the Liberty of the Subject, and the Right of Parliaments, and a High Crime in any that should execute the same: and his Majesty did therefore charge, and command all his loving Subjects of what degree, or quality soever, upon their Allegiance, and as they tender’d the peace of the Kingdom, from thenceforth not to Muster, Levy, or Array, or Summon, or Warn any of the Train’d bands to rise, Muster, or March, by Virtue, or under Colour, of that pretended Ordinance: and to that Declaration, and Command of his Majesty’s, he said, he expected and required a full Submission, and Obedience from all his loving Subjects, upon their Allegiance, as they would Answer the Contrary at their Perils, and as they tender’d the upholding of the True Protestant Religion, the safety of his Person, and his Royal Posterity, the Peace, and being of the Kingdom.

NOTWITHSTANDING these sharp Declarations (infallible Symptoms of sharper Actions) which were with equal diligence dispersed by either side among the People, save that the Agents for the Parliament took as much care to Suppress
the

the King's, as to Publish their own, whereas the King's desire was that they might be both impartially read and examin'd, and to that purpose always caus'd those from the Parliament to be Printed with his own, They had the power and skill to perswade Men, who, but by that perswasion, could not have been Seduced, and without Seducing of whom they could have made but a very sorry progress in mischief, "that all would be well; that they were well assured that the King would, in the end, yield to what they desired; at least, that they should prevail for a good Part, if not for All, and that there should be no War: though themselves well knew, that the fire was too much kindled, to be extinguish'd without a flame, and made preparations accordingly. For the raising and procuring of Money (besides the vast Sums collected and contributed for *Ireland*, which they disbursed very leisurely, the Supplies for that Kingdom, notwithstanding the importunity and complaint from thence, being not dispatch'd thither, both in quantity and quality, with that Expedition as was pretended) they sent out very strict Warrants for the gathering all those Sums of Money, which had been granted by any Bills of Subsidy, or Poll-Bill; in the collection of all which there had been great negligence, probably that They might have it the more at their own disposal in their Need; by which they now recover'd great Sums into their hands. For the raising of Men (though it was not Yet time for them to avow the raising an Army) besides the disposing the whole Kingdom to subject themselves to their Ordinance of the Militia, and, by That, listing in all places Companies of Volunteers, who would be ready when they were called, they made more hast than they had done in the Levies of Men, both Horse and Foot, for the relief of *Ireland*, under Officers chosen, or approv'd by Themselves; and propos'd the raising of an Army apart, of six or eight thousand, under the Command of the Lord *Wharton* (a man very fast to them) for *Munster*, under the style of the Adventurers Army, and to have no dependence upon, nor be subject to, the Lord Lieutenant of *Ireland*, but only to receive Orders from the two Houses, and from a Committee to be appointed by them, which should be always with that Army: but the King, easily discerning the consequence of that design, refus'd to grant such a Commission as they desired; so that they were forced to be content, only with the advantage of New Exclamations against the King, "for hindering the Supplies for *Ireland*, upon the occasion of his denial of that unreasonable Commission, and to proceed in their Levies the ordinary way; which they did, with great Expedition. To confirm and encourage the Faction and

Schismatical Party of the Kingdom, which thought the pace towards the Reformation was not brisk, and furious enough, and was with great difficulty contained in so slow a March, They had, a little before, published a Declaration :

“THAT they intended a due, and necessary Reformation The two Houses Declaration concerning a Reformation of the Liberty.
 “of the Government, and Liturgy of the Church, and to take
 “away nothing in the One or the Other, but what should be
 “Evil, and justly Offensive, or at least Unnecessary, and Bur-
 “thenſom ; and, for the better effecting thereof, speedily to
 “have conſultation with Godly and Learned Divines : and,
 “becauſe that would never of it ſelf attain the end ſought
 “therein, they would therefore uſe their utmoſt endeavours
 “to eſtabliſh Learned, and Preaching Miniſters, with a good
 “and ſufficient maintenance throughout the whole Kingdom ;
 “wherein many dark Corners were miſerably deſtitute of the
 “means of Salvation, and many poor Miniſters wanted ne-
 “ceſſary proviſion.

THIS Declaration, Printed, and appointed to be publiſhed by the Sheriffs in their ſeveral Counties, in all the Market Towns within the Kingdom of *England*, and Dominion of *Wales*, was not more intended to the heartning of thoſe who were impatient for a Reformation (who in truth had ſo implicate a Faith in their Leaders, that they expected another manner of Reformation than was publicly promiſed) than to the lulling thoſe aſleep, who begun to be awake with the apprehenſion of that confuſion, they apprehended from the practice and licence, they ſaw practiſed againſt the received Government, and Doctrine of the Church ; and to be perſwaded, that it was time to oppoſe that Current. And, in this project, they were not diſappointed : for though this warily worded Declaration was evidence enough to Wiſe men, that They intended, and Logically comprehended, an Alteration as great, as has been ſince attempted, and made ; yet to Lazy and Quiet men, who could not diſcern conſequences, and were not willing to Antedate their miſeries, by ſuſpecting worſe was to come than they felt, or ſaw in their View, their fears were much abated, and the intentions of the Parliament ſeem'd not ſo bad, as they had been told by ſome that they were : and as this very Declaration of a due Reformation to be made of the Government of the Church, and the Liturgy, would, a year before, have given great Umbrage and Scandal to the People, when, generally, there was a due ſubmiſſion to the Government, and a ſingular reverence of the Liturgy of the Church of *England* ; ſo Now, when there was a General fear and apprehenſion inculcated into them, of a purpoſe utterly to ſubvert the Government, and utterly to aboliſh the Liturgy, they thought the taking away nothing in
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the One or the Other, but what should be Evil, and Justly offensive, or, at least, Unnecessary and Burthensom, was an easy Composition; and so, by degrees, they suffer'd themselves to be still prevailed on towards ends they extremely abhorred; and what at first seem'd Prophane and Impious to them, in a little time appear'd only Inconvenient; and what, in the beginning, they thought matter of Conscience and Religion, shortly after they looked upon, as somewhat rather to be wished than positively Insisted on; and consequently not to be laid in the balance with the Publick Peace, which they would imagin to be endanger'd by opposing the sense that then prevailed; and so, by Undervaluing many particulars (which they Truly esteem'd) as rather to be consented to, than that the general should suffer, they Brought, or Suffer'd the Publick to be brought to all the sufferings it since underwent.

see a large Acc^t. of the Assembly of Divines.
 their Proceedings in
 Dr Walker's Attempt p. 1 p. 294

AND now they shew'd what Consultation they meant to have with Godly and Learned Divines, and what Reformation they intended, by appointing the Knights and Burgesses to bring in the Names of such Divines for the several Counties, as they thought fit to constitute an Assembly for the framing a new Model for the Government of the Church, which was done accordingly; those who were true Sons of the Church, not so much as endeavouring the Nomination of Sober, and Learned Men, abhorring such a Reformation, as begun with the Invasion, and Suppression of the Church's Rights in a Synod, as well known as *Magna Charta*: and if any well affected Member, not enough considering the scandal, and the consequence of that Violation, did Name an Orthodox, and well reputed Divine, to assist in that Assembly, it was Argument enough against him, that he was Nominated by a Person in whom they had no Confidence; and They only had reputation enough to Commend to this Consultation, who were known to desire the utter demolishing of the whole Fabrick of the Church: so that of about one hundred and twenty, of which that Assembly was to consist (though, by the recommendation of two or three Members of the Commons, whom they were not willing to displease, and by the Authority of the Lords, who added a small Number to those named by the House of Commons, a few very Reverend, and Worthy men were inserted; yet of the whole Number) they were not above Twenty, who were not declar'd, and avow'd Enemies to the Doctrine, or Discipline of the Church of *England*; some of them infamous in their lives, and conversations; and most of them of very mean parts in Learning, if not of Scandalous Ignorance; and of no other reputation, than of malice to the Church of *England*; so that

that Convention hath not since produced any thing, that might not Then reasonably have been expected from it.

BUT that which gave greatest power, and strength to their growing Faction, was the severity they used against all those, of what Quality or degree soever, who opposed their Counsels, and Proceedings. If any Lord, who had any place of Honour, or Trust from the King, concurred not with them; they made an inquisition into the whole passages of his Life; and if they could find no Fault, or no Folly (for any Levity, or Indiscretion, served for a Charge) to reproach him with, it was enough "that they could not Confide in him: so they threatened the Earl of *Portland*, who with extraordinary vivacity crossed their Consultations, "that they would remove "him from his Charge and Government of the Isle of *Wight* (which at last they did *de facto*, by committing him to Prison without so much as assigning a Cause) and to that purpose, objected all the Acts of good fellowship; all the waste of Powder, and all the waste of Wine, in the drinking of Healths; and other Acts of Jollity, whenever he had been at his Government, from the first hour of his entering upon it: so that the least inconvenience a man in their Disfavour was to expect, was to have his Name and Reputation used, for two or three hours, in the House of Commons with what Licence and Virulency they pleased. None were persecuted with more rigour, than the Clergy; whereof whosoever publicly, or privately, censured their Actions, or suspected their Intentions, was either committed to prison, or compelled to a chargeable and long Attendance, as inconvenient as Imprisonment. And this measure of proceeding was Equally, if not with more animosity, applied to those, who, in former times, had been looked upon by that Party with most reverence. On the contrary, whoever Concurred, Voted, and Sided with them, in their extravagant conclusions, let the infamy of his former life, or present practice be what it would; his injustice and oppression never so scandalous; and notorious; He was receiv'd, countenanc'd, and protected with marvellous demonstrations of Affection: so that, between those that Loved them, and those that Fear'd them, those that did not love the Church, and those that did not love some Churchmen; those whom the Court had oppressed, and those who had helped the Court to oppress Others; those who fear'd their Power, and those who fear'd their Justice; their Party was grown over the Kingdom, but especially in the City, justly Formidable.

In the mean time, the King omitted no opportunity to provide against the Storm he saw was coming; and, though he might not Yet own the apprehension of that danger he

really found himself in, he neglected not the provision of what he thought most necessary for his defence; he caused all his Declarations, Messages, and Answers, to be industriously communicated throughout his Dominions; of which he found good effects; and, by their reception, discover'd that the People universally were not so irrecoverably poison'd, as he before had cause to fear: He caused private intimations to be given, and insinuations to be made to the Gentry "that Their presence would be acceptable to him; and to those, who came to him, he us'd much gracious freedom, and express'd all possible demonstrations, that he was glad of their Attendance: so that, in a short time, the resort to *York* was very great; and, at least, a good face of a Court there.

BETWEEN the Seas, the Queen was as intent to do Her part; and to provide that so good Company, as she heard was daily gather'd together about the King, should not be dissolved for want of Weapons to defend one another: and therefore, with as much secrecy, as could be us'd in those Cases, and in those places where she had so many Spies upon her, she caused, by the Sale or Pawning of her own, and some of the Crown Jewels, a good quantity of Powder and Armes to be in a readiness in *Holland*, against the time that it should be found necessary to transport it to his Majesty: so that both Sides, whilst they entertain'd each other with discourses of Peace (which always carried a sharpness with them, that whetted their appetite to War) provided for that War, which they saw would not be prevented.

HITHERTO the greatest Acts of Hostility, saving that at *Hull*, were perform'd by Votes, and Orders; for there was Yet no visible, formal execution of the Ordinance for the Militia, in any one County of *England*: for the appearance of Volunteers in some factious Corporations was rather Countenanced, than positively directed and enjoyn'd by the Houses: and most places pretended an Authority, granted by the King in the Charters, by which those Corporations were erected, or constituted; but now they thought it time to satisfy the King, and the People, that they were in Earnest (who were hardly perswaded, that they had in truth the courage to execute their own Ordinance.) and Resolved, "that, on the tenth of *May*, they would have all the Train'd-bands of *London* Muster'd in the Fields, where that exercise usually was perform'd; and accordingly, on that day, their own new Officer, Serjeant-Major-General *Stippon*, appear'd in *Finsbury* Fields, with all the Train'd-bands of *London*, consisting of above eight thousand Soldiers, disposed into six Regiments; and under such Captains and Colonels, as they had cause to Confide in: At this first triumphant Muster,

ster, the Members of both Houses appeared in gross; there being a Tent purposely set up for them, and an Entertainment at the Charge of the City to the value of near a thousand pounds; all Men presuming, that this example of *London*, with such Ceremony and Solemnity, would be easily follow'd throughout the Kingdom; and many believing, they had made no small progress towards the end they aimed at, by having engaged the very body of the City in a Guilt equal to their own: for though they had before sufficient evidence of the Inclinations of the Mean, and Common People to them, and reasonable assurance, that those in Authority would hardly be able to contain them; yet, till this day, they had no instance of the Concurrence of the City in an Act expressly unlawful. But now they presumed all difficulties were over; and so sent their Directions to the Counties adjacent, speedily to execute the same Ordinance; and appointed all the Magazines of the several Counties of *England* and *Wales*, to such Custody, as their Lord Lieutenants, or their Deputy Lieutenants should appoint; and that not only the Counties should increase those Magazines to what proportion soever they thought convenient, but that any private Persons, that were well Affected, should supply themselves with what Armes and Ammunition they pleased. By which means, besides the King's Magazines, all which were in their possession, they caused great quantities of all sorts of Armes to be provided, and disposed to such Places, and Persons, as they thought fittest to be trusted; especially in those Factious Corporations, which had Listed most Volunteers for their Service.

THE King now saw the Storm coming apace upon him; that (notwithstanding his Proclamation published against the Ordinance of the Militia, in which he set down the Laws and Statutes, which were infringed thereby, and by which the execution of that Ordinance would be no less than High Treason) the Votes, and Declaration of both Houses "that those Proclamations were illegal, and that those Acts of Parliament could not Controle the Acts, and Orders of both Houses (which the Subjects were, by the Fundamental Laws of the Kingdom, to obey) prevail'd so far, that obedience was given to them; that he was so far from being like to have *Hull* restored to him, that the Garrison there daily increased, and forced the Country to submit to such Commands, as they pleased to lay on them; and that *Sr John Hotham* was more likely to be able to Take *York*, than his Majesty to Recover *Hull*; he thought it, therefore, high time, by their example, to put himself into a posture of Defence; the Danger being much more imminent to his Majesty, than to those who had begot that Ordinance. Hereupon, at a

public meeting of the Country, his Majesty declar'd "that he was Resolv'd, in regard of the Publick Distempers, and "the Neighbourhood of *Hull*, to have a Guard for his Person; "but of such Persons, and with such Circumstances, as should "administer no occasion of Jealousy to the most Suspicious; "and wish'd the Gentlemen of Quality, who attended, to "consider, and advise of the way: Who shortly after (notwithstanding the opposition given by the Committee, which still resided there; and the Factious Party of the Country, which was inflamed, and governed by them) expressed a great alacrity to comply with his Majesty's desire, in whatsoever should be propos'd to them; and a sense, "that they thought "a sufficient Guard was very necessary for the Security of his "Majesty's Person. Hereupon, the King appointed such Gentlemen as were willing, to Lift themselves into a Troop of Horse, and made the Prince of *Wales* their Captain; and made choice of one Regiment of the Train'd-bands, consisting of about six hundred, whom he caus'd, every *Saturday*, to be paid at his own Charge; when he had little more in his Coffers, than would defray the weekly Expence of his Table: and this Troop, with this Regiment, was the Guard of his Person; it being first declared by his Majesty, "that no Person should be suffer'd, either in the Troop, or the Regiment, who did not, before his Admission into the Service, "take the Oaths of Allegiance, and Supremacy; that so he might be free from the scandal of entertaining Papists for his Security.

BUT this caution would not serve; the Fears and Jealousies were capable of no other Remedies, than such as were prescribed by those Physicians, who were practiced in the Disease. Assoon as the intelligence was arriv'd at *London*, that the King actually had a Guard (though the Circumstances were as well known that were us'd in the raising it) both Houses published these three Votes, and dispers'd them:

1. "THAT it appear'd, that the King, seduced by wicked "Counsel, intended to make War against the Parliament; "who, in all their Consultations and Actions, had propos'd "no other end unto themselves, but the care of his Kingdoms, and the performance of all Duty, and Loyalty to his "Person.

2. "THAT whensoever the King maketh War upon the "Parliament, it is a breach of the Trust repos'd in him by "his People; contrary to his Oath; and tending to the Dissolution of the Government.

3. "THAT whosoever should Serve him, or Assist him in "such Wars, are Traitors by the Fundamental Laws of the "Kingdom; and have been so adjudg'd by two Acts of "Parliament,

"Parliament, 2 Rich. II. and 1 Henr. IV. and ought to suffer as
"Traitors.

THESE lusty Votes they sent to the King to York, together
with a short Petition, in which they told him,

"THAT his Loyal Subjects, the Lords and Commons in The two
Houses Peti-
tion the King
to Dissolve
his Guards,
May 23.
1642.
Parliament did humbly represent unto his Majesty, that not-
withstanding his frequent professions to his Parliament, and
the Kingdom, that his desire, and intention was only the
preserving the true Protestant profession, the Laws of the
Land, the Liberty of his People, and the Peace of the King-

dom; nevertheless, they perceived with great grief, by his
Speech of the twelfth of May, and the Paper, Printed in his
Majesty's Name, in the form of a Proclamation, bearing
date the fourteenth of May, and other Evidences, that, un-
der colour of raising a Guard to secure his Person, of which
Guard (considering the Fidelity, and Care of his Parlia-
ment) there could be no use, his Majesty did Command
Troops, both of Horse and Foot to assemble at York; the
very beginnings whereof were apprehended by the Inhabi-
tants of that County to be an Affrightment, and Disturbance
of his Leige People, as appeared by their Petition pre-
sented to him; the continuing, and increasing of which
Forces, was to his Parliament, and must needs be, a just cause
of great Jealousy, and Danger to his whole Kingdom.

THEREFORE, they did humbly beseech his Majesty
to Disband all such Forces, as, by his Command, were as-
sembled, and relying for his Security (as his Predecessors
had done) upon the Laws, and Affections of his People,
he would be pleased to desist from any further designs of
that nature, contenting himself with his usual, and ordinary
Guards; otherwise, they should hold themselves bound in
duty towards God, and the Trust reposed in them by the
People, and the Fundamental Laws, and Constitutions of
the Kingdom, to imploy their Care, and utmost Power to
secure the Parliament, and to preserve the Peace, and Quiet
of the Kingdom.

To this Petition, deliver'd publicly, and read with an
equal confidence, by their Leiger Committee, his Majesty
Answer'd,

"THAT he could not but extremely wonder, that the His Majesty's
Answer.
causeless Jealousies concerning his Majesty, raised and fo-
mented by a Malignant Party in the Kingdom, which de-
fired nothing more than to snatch to themselves particu-
lar advantages out of a general Combustion (which means
of advantage should never be minister'd to them by His
fault, or seeking) should not only be able to seduce a Weak
Party in the Kingdom, but seem to find so much Counte-
nance

" nance even from both Houses, as that his raising of a Guard,
 " without further design than for the Safety of his Person, an
 " Action so legal, in a manner so Peaceable, upon Causes so
 " evident and necessary, should not only be looked upon,
 " and Petition'd against by them, as a cause of Jealousy; but
 " declared to be raising of a War against them, contrary to
 " his former professions of his care of Religion, and Law :
 " and he no less wonder'd, that That Action of his should be
 " said to be apprehended by the Inhabitants of that County,
 " as an Affrightment, and Disturbance to his People, having
 " been as well receiv'd there, as it was every where to be
 " justify'd ; and (he spake of the general, not of a few se-
 " duced particulars) assisted, and sped by that County, with
 " that Loyal Affection and Alacrity, as was a most excellent
 " example, set to the rest of the Kingdom, of their care of
 " his Safety upon all occasions ; and should never be forgotten
 " by Him, nor, he hoped, by his Posterity : but should be
 " ever paid to them, in that, which is the proper expression
 " of a Prince's gratitude, a perpetual, vigilant care to govern
 " them justly, and to preserve the only Rule, by which they
 " can be so govern'd, the Law of the Land ; and, he said, he
 " was confident, that if they were themselves Eye-witnesses,
 " they would so see the contrary, as to give little present
 " Thanks, and, hereafter, little Credit to their Informers ;
 " and, if they had no better information, and intelligence of
 " the Inclinations, and Affections of the rest of the Kingdom,
 " certainly the minds of his People (which to some Ends,
 " and Purposes, they did represent) were but ill represented
 " unto them.

" He asked them, when they had so many Months toge-
 " ther not contented themselves to rely for Security, as their
 " Predecessors had done, upon the Affection of the People,
 " but by their own single Authority had raised to themselves
 " a Guard (and that sometimes of no ordinary Numbers,
 " and in no ordinary Way) and yet all those Pikes, and Pro-
 " testations, that Army, on one side, and that Navy, on the
 " other, had not perswaded his Majesty to Command them
 " to Disband their Forces, and to content themselves with
 " their Ordinary, that was, no Guard ; or work in him an
 " opinion that they appear'd to levy War against him, or had
 " any further design ; how it was possible, that the same Per-
 " sons should be so apt to suspect, and condemn his Majesty,
 " who had been so unapt, in the same matter, upon much
 " more ground, to tax or suspect Them ? This, he said, was
 " his Case, notwithstanding the Care and Fidelity of his Par-
 " liament, his Fort was kept by Arm'd Men against him ; his
 " proper Goods first detained from him, and then, contrary

"to his Command, by strong hand offer'd to be carried away ;
 "in which, at once, all his Property, as a private Person ; all
 "his Authority, as a King, was wrested from him, and yet
 "for him to secure himself in a Legal way, that *Sr John Ho-*
 "*tham* might not by the same Forces, or by more, raised by
 "pretence of the same Authority (for he daily raised some,
 "and it was no new thing for him to pretend Orders, which
 "he could not shew) continue the War that he had Levied
 "against his Majesty ; and as well Imprison his Person, as de-
 "tain his Goods ; and as well shut him up in *Tork*, as shut
 "him out of *Hull* ; was now said to be esteem'd a cause of
 "great Jealousy to the Parliament, a raising a War against
 "them, and of danger to the whole Kingdom : whilst these
 "Injustices, and Indignities offer'd to him were countenanced
 "by them, who ought to be most forward in his Vindica-
 "tion, and their Punishment, in observance of their Oaths,
 "and Trust repos'd in them by the People, and to avoid the
 "Dissolution of the present Government : Upon which Case,
 "he said, the whole World was to judge, whether his Majesty
 "had not reason, not wholly to relye upon the Care, and
 "Fidelity of his Parliament, being so strangely blinded by
 "Malignant Spirits, as not to perceive his Injuries ; but to
 "take some care of his own Person, and, in order to that, to
 "make use of that Authority, which the Laws declar'd to be
 "in his Majesty : and, whether that Petition, with such a
 "threatning Conclusion, accompanied with more threatning
 "Votes, gave him not cause, rather to increase, than to di-
 "minish his Guards ; especially, since he had seen, before the
 "Petition, a Printed Paper dated the seventeenth of *May*,
 "underwritten by the Clerk of the House of Commons,
 "commanding in the name of both Lords and Commons, the
 "Sheriffs of all Counties to raise the power of all those Coun-
 "ties, to suppress such of his Subjects, as, by any of his Ma-
 "jesty's Commands, should be drawn together, and put (as
 "that Paper called it) in a posture of War ; Charging all his
 "Majesty's Officers, and Subjects to assist them in it, at their
 "Perils. For though, he said, he could not suspect, that That
 "Paper ; or any bare Votes, not grounded upon Law or
 "Reason ; or Quotations of repeal'd Statutes, as those were
 "of the 2 *Rich.* 2. and 1 *Henr.* IV. should have any ill influence
 "upon his good People, who knew their Duties too well not
 "to know that to take up Armes against those, who, upon a
 "Legal Command of his Majesty, came together to a most
 "Legal end (that was, his Majesty's Security, and Preserva-
 "tion) were to Levy War against his Majesty ; yet, if that
 "Paper were really the Act of both Houses, he could not
 "but look upon it, as the highest of Scorns and Indignities ;
 "First,

"First, to issue out Commands of Force against him; and, after those had appear'd useles, to offer, by Petition, to perswade him to that which that Force should have effected.

"He said, he concluded his Answer to their Petition with his Counsel to them, that they would joyn with him in exacting satisfaction for that unparallel'd, and yet unpunished Action of *St John Hotbom*; and that they would command his Fort, and Goods to be return'd to his own hands: that they would lay down all pretences (under pretence of Necessity, or declaring what is Law) to make Laws without his Majesty, and, by consequence, but a Cipher of his Majesty: that they would declare effectually against Tumults, and call in such Pamphlets (punishing the Authors and Publishers of them) as Seditiously endeavour to disable his Majesty from protecting his People, by weakning, by false Aspersions and new false Doctrines, his Authority with them, and their Confidence in him: the particulars of which Tumults, and Pamphlets, he said, he would long since have taken care, his Learned Council should have been enabled to give in evidence, if, upon his former offer, his Majesty had receiv'd any return of encouragement from them in it: and, he said, if they did that, they would then, and hardly till then, perswade the World, that they had discharged their Duty to God, the Trust reposed in them by the People, and the Fundamental Laws, and Constitutions of the Kingdom; and imploy'd their care, and utmost Power, to secure the Parliament (for, he said, he was still a part of the Parliament, and should be, till this well temper'd Monarchy was turned to a Democracy) and to preserve the Peace and Quiet of the Kingdom; which, together with the Defence of the Protestant Religion, the Laws of the Land, and his own just Prerogative (as a part of, and a defence to those Laws) had been the main end, which in his Consultations and Actions, he had propos'd to Himself.

It will be wonder'd at hereafter, that in a judging and discerning State, where Men had, or seem'd to have, their faculties of Reason, and Understanding at the height; in a Kingdom then unapt, and generally uninclined to War (how wantonly soever it hath since seem'd to throw away it's Peace) those Men, who had the skill and cunning, out of froward and peevish humours and indispositions to compound Fears and Jealousies, and to animate and inflame those Fears and Jealousies into the most prodigious, and the boldest Rebellion, that any Age, or Country ever brought forth; who very well saw, and felt that the King had not only, to a degree,

degree, wound himself out of that Labyrinth, in which, four Months before, they had involv'd him, with their Privileges, Fears, and Jealousies; but had even so well informed the People, that they begun to question both their Logick and their Law, and to suspect, and censure the improvement, and gradation of their Fears, and the extent, and latitude of their Privileges; and that they were not only denied by the King, what they required, but that the King's Reasons of his denial made very many conclude the unreasonableness of their demands: I say, it may seem strange, that these Men could entertain the hope, and confidence to obtrude such a Declaration, and Vote, upon the People, "that the King did intend to make War against the Parliament; when they were so far from apprehending, that he would be able to get an Army to disturb them, that they were most assured, he would not be able to get Bread to sustain Himself three Months, without submitting all his Counsels to their Conduct, and Controle; and that the offering to impose it, did not awaken the People to an indignation, which might have confounded them: for, besides their Presumption in endeavouring to Search, what the Scripture it self told them was Unsearchable, the Heart of the King; the very Law of the Land, whose defence they pretended, makes no conclusion of the intention of the meanest Subject, in a matter of the highest, and tenderest Consideration, even Treason it self against the Life of the King, without some overt, unlawful Act, from whence, and other circumstances, the ill intention may be reasonably made appear; and therefore, to declare that the King intended to make War against his Parliament, when he had neither Ship, Harbour, Armes nor Money, and knew not how to get any of them, and when he offer'd to Grant any thing to them, which they could pretend a justifiable reason for asking, was an undertaking of that Nature, that even the Almightyness of a Parliament might have despair'd to succeed in.

BUT, notwithstanding all this, they very well knew what they did, and understood what infinite advantage that Vote would (as it did) bring to them; and that a Natural way would never bring them to their unnatural end. The Power and Reputation of Parliament, they believ'd, would implicitly prevail over many; and amaze and terrify others from disputing, or censuring what they did, and upon what grounds they did it. The difficulty was, to procure the judgement of Parliament; and to incline those different Constitutions, and different Affections, to such a Concurrence, as the judgement might not be discredited, by the number of the Dissenters; nor wounded, or prejudged by the Reasons, and Arguments

Arguments given against it : and then, their judgements of the Cure being to be grounded upon the nature, and information of the Disease, it was necessary to confine, and contract their fancies and opinions within some bounds, and limits : the mystery of Rebellion challenging the same encouragement with other Sciences, to grow by ; that there may be certain Postulata, some Principles and Foundations, upon which the main building may subsist. So, in the case of the Militia, an imminent danger must be first supposed, by which the Kingdom is in apparent hazard, and then the King's refusal to apply any remedy against that danger, before the two Houses would pretend to the Power of disposing that Militia : it being too ridiculous to have pretended the natural and ordinary Jurisdiction over it : but, in case of danger, and danger so imminent, that the usual recourse would not serve the turn, and for the saving of a Kingdom, which must otherwise be lost, many Good Men thought it was reasonable to apply a very Extraordinary prevention, without imagining such a supposition might possibly engage them in any Action, contrary to their own Inclinations ; and, without doubt, very many who frankly Voted that imminent necessity, were induced to it, as an Argument, that the King should be therefore importun'd to consent to the Settlement ; which would not have appear'd so necessary a Request, if the occasion had not been Important ; never suspecting, that it would have been improved into an Argument to them, to adventure the doing it without the King's consent. And it is not here unreasonable (how merry soever it may seem to be) as an instance of the Incogitancy, and Inadvertency of those kind of Votes and Transactions, to remember that the first Resolution of the Power of the Militia being grounded upon a Supposition of an imminent necessity, the Ordinance first sent up, from the Commons, to the Lords, for the execution of the Militia, expressed an *eminent* necessity ; whereupon, some Lords, who understood the difference of the words, and that an eminent necessity might be supplied by the ordinary provision, which, possibly, an *imminent* necessity might not safely attend, desired a Conference with the Commons, for the Amendment : which, I remember, was at last, with great difficulty, consented to : many (who, I presume, are not yet grown up to conceive the difference) supposing it an unnecessary contention for a Word, and so yielding to them, for saving of time, rather than dispute a thing which to them seem'd of no great moment.

THEY, who contriv'd this Scene, never doubted, but after a Resolution what was to be done upon a Supposed necessity, they should easily, when they found it convenient, make

make that necessity Real. It was no hard matter to make the Fearful, apprehensive of dangers ; and the Jealous, of designs ; and they wanted not Evidence of all kinds ; of Letters from abroad, and Discoveries at home, to make those apprehensions formidable enough ; and then, though, before the Resolution, there was a great latitude in Law and Reason, what was Lawfully to be done, they had Now forejudged themselves, and Resolv'd of the Proper remedy, except they would argue against the Evidence ; which Usually would have been to discountenance, or undervalue some Person of notable reputation, or his Correspondence ; and always to have oppos'd That that was of such an Allay, as, in truth, did operate upon the Major part. So, in the Case upon which we now discourse, if they had, in the most advantageous Article of their fury, profess'd the raising an Army against the King, there was yet that reverence to Majesty, and that Spirit of Subjection and Allegiance in most Men, that they would have look'd upon it with Opposition, and Horror : but Defensive Armies were more plausible Divinity, and if the King should commit such an Outrage, as to levy War against his Parliament, to destroy the Religion, Laws, and Liberty of the Kingdom, Good men were perswaded, that such a resistance might be made, as might preserve the Whole ; and he that would have argued against this Thesis, besides the Imperinency of arguing against a supposition, that was not like to be Real, and in which the Corrupt consideration of Safety seem'd to bribe most Men, could never escape the censure of promoting Tyranny, and lawless Dominion. Then to incline Men to concur in the Declaration " of the King's Intention to make War against the Parliament, they were perswaded it might have a Good, and Could have no ill effect : the remedies, that were to be applied upon an Actual levying of War, were not justifiable upon the Intention ; and the declaring this Intention, and the Dangers it carried with it to the King himself, and to all those who should assist him, would be a probable means of reforming such Intention, and preventing the Execution : Inconvenience it could produce none (for the disquieting, or displeasing the King was not thought Inconvenient) if there were no progress in the suppos'd Intention ; if there were, it were fit the whole Kingdom should stand upon it's Guard, and not be Surprised to it's confusion.

By these false, and fallacious Mediums, the clearness of Men's understandings were dazzled ; and, upon the matter, all their opinions, and judgments for the Future, captivated and preengaged by their own Votes, and Determinations. For, how easy a matter is it to make it appear to that man, who consented

consented that the King intended to make War against the Parliament, that when he should Do it, he had broken his Oath, and dissolved his Government; and, that whosoever should assist him were Traitors; I say, how easy was it to persuade That man, that he was obliged to defend the Parliament; to endeavour to uphold That Government; and to resist Those Traitors? and, whosoever considers that the nature of men, especially of men in Authority, is inclined rather to Commit two errors, than to Retract one, will not marvel, that from this Root of unadvisedness, so many, and tall Branches of mischief have proceeded. And therefore, it were to be wished, that those who have the honour to be trusted in Publick Consultations, were indued with so much natural Logic, to discern the consequences of every publick Act, and Conclusion; and with so much Conscience and Courage, to watch the first impressions upon their understanding and compliance: and that, neither out of the Impertinency of the thing, which men are all apt to conclude out of impatience of dispatch; or out of Stratagem to make men Odious (as in this Parliament many forbore to oppose unreasonable resolutions, out of an opinion that they would make the contrivers Odious) or upon any other (though seeming never so Politick) considerations, they consent not to any Propositions, by which Truth or Justice are invaded. I am confident, with very good Warrant, that many men have, from their Souls, abhorred every Article of this Rebellion; and heartily deprecated the miseries, and desolation we have suffer'd by it, who have Themselves, with great alacrity and industry, contributed to, if not contrived, those very Votes and Conclusions, from whence the Evils they abhor, have most naturally and regularly flowed, and been deduced; and which they could not reasonably, upon their own concessions, contradict and oppose.

BUT to conclude, a man shall not unprofitably spend his contemplation, that, upon this occasion, considers the method of God's Justice (a method terribly remarkable in many Passages, and upon many Persons; which we shall be compelled to remember in this discourse) that the same Principles, and the same Application of those Principles, should be used to the wresting all Sovereign Power from the Crown, which the Crown had a little before made use of for the extending it's Authority, and Power, beyond it's bounds, to the prejudice of the just Rights of the Subject. A supposed Necessity was Then thought ground enough to create a Power, and a bare Averment of that Necessity, to beget a Practice to impose what Tax they thought convenient upon the Subject, by Wrists of Ship-money never before known; and a supposed Necessity

Necessity now, and a bare Assertion of that Necessity, is as confidently, and more Fatally, concluded a good ground to exclude the Crown from the use of any Power, by an Ordinance never before heard of: and the same Maxim of *Salus populi Suprema Lex*, which had been used to the infringing the Liberty of the One, made use of for the destroying the Rights of the other: only that of the Psalmist is yet Inverted; for many of those, who were the Principal makers of the first Pit, are so far from falling into it, that they have been the chiefest Diggers of the second Ditch, in which so many have been confounded.

THOUGH they had yet no real Apprehension, that the King would be able, in the least degree, to raise a Force against them, yet they were heartily enraged to find that he lived more like a King, than they wished he should; that there was so great resort to him from all parts; and that whereas little more than two Months before, his own Servants durst hardly avow the waiting on him, Now the chief Gentlemen of all Counties Travelled to him, to tender their Service; which implied a Disapprobation at least, if not a Contempt of the two Houses carriage towards him. Therefore, to prevent this mischief, they easily found exception to, and information against, some Persons, who had resorted to York; whom they sent the Serjeant of the House of Commons to apprehend, and bring them before the House as Delinquents, to Answer such matters, as should be objected against them. In this Number there was one *Beckwith*, a Gentleman of *York-shire*, who, as *Sr John Hosbarn* had sent them word, had endeavour'd to corrupt some Officers of the Garrison to deliver *Hull* up to the King; this they declar'd to be a very heinous crime, and little less than High Treason, and therefore concluded him a Delinquent, and to be sent for to attend them: it was thought strangely ridiculous by Standers by, that *Sr John Hosbarn* should be justify'd for keeping the Town against the King, and another Gentleman be Voted a Delinquent for designing to recover it to it's Allegiance; and that They, who, but few days before, when the King had sent a Warrant to require Serjeant-Major *Skippon* to attend his Majesty at York, Resolv'd, and published their Resolution in Print (as they did all things, which they conceiv'd might diminish the Reputation of the King, or his Authority) "That such Command from his Majesty was against the Law of the Land, and the Liberty of the Subject, and likewise (the Person being imploy'd by Them to attend Their Service) against the Privilege of Parliament; and therefore, that their Serjeant-Major-General of the Forces of *London* (that was his Style) should continue to attend the Service of both Houses according to

"their

* He was of an ancient family for in the 14th. Life of A. B. Girdal. p. 163 one of his name is mentioned amongst the Yorkists that met at York in 1570 at his first coming amongst them. & in Queen Mary's reign one of that name was in 1556 one of the English Commission appointed to accommodate differences between the English & Scotch

“their former Commands; should expect that their Warrant should be submitted to by those, who were waiting on the King, whose known legal Authority, severed from any thing that might be understood to relate to the Parliament, or it's Privileges, they had so flatly contradicted and contemned, that the same day on which they redeem'd their Officer *Shippon* from his Allegiance, and Duty of going to the King, being inform'd, that the King had sent a Writ to Adjourn the Term (Midsummer Term) to *York* from *Westminster*, which, without all question, was in his power Legally to do, they declared, “That the King's removing of the Term to *York* “from *Westminster*, sitting the Parliament, was illegal; and Order'd, “that the Lord Keeper should not issue out any “Writs, or Seal any Proclamation, to that purpose; which was by him observ'd accordingly, notwithstanding the King's Command for the Adjournment.

WHEN their Officer came to *York* for the apprehension of the Delinquents, he found the same neglect There of the Parliament, as was found Above of the King; and was so ill increased by those, whom he looked upon as his Prisoners, that, if the King's extraordinary provision had not been interposed, the Messenger would scarce have return'd to have reported how uncurrent such Warrants were like to be in *York*, and how perilous such Voyages might prove to the Adventurers: But how amazed, or surpris'd soever they seem'd to be with this new contradiction, it was no more than they looked for; for their Dilemma was, if their Messenger return'd with his Prize, all the resort to, and all the glory of *York* was determin'd; for no Man would repair thither, from whence the bare Voting him a Delinquent would remove him with those other inconvenient Circumstances of Censure, and Imprisonment: if He return'd neglected and affronted, as they presumed he would, they had a new Reproach for the King, “of protecting Delinquents against the Justice of Parliament; which would be a New breach of their Privileges, as Heinous and Unpopular, as had yet been made, and for the vindication whereof their Protestation would no less oblige them, than it had done on the behalf of the five Members. And such Votes they pass'd upon the return of their Officer; and had in readiness prepared two voluminous Declarations to the People, which they publish'd about the same time; the One fill'd with all the reiterated Complaints, and invenom'd repetitions, of what had been done, or been Thought to have been done amiss in the whole Reign of the King, to render his Person odious, or unacceptable; the Other undervaluing his Royal Power, and declaring against it, to make his Authority despised, at least not Fear'd.

THE first was of the nineteenth of May, in which They declared,

“THAT the infinite Mercy, and Providence of the Almighty God had been abundantly manifested, since the beginning of this Parliament, in great variety of Protections, and Blessings; whereby he had not only delivered Them from many wicked Plots and Designs, which, if they had taken effect, would have brought Ruin and Destruction upon the Kingdom; but, out of those Attempts, had produced divers evident and remarkable Advantages, to the furtherance of those Services, which they had been desirous to perform to their Sovereign Lord the King, and to the Church and State, in providing for the publick Peace, and Prosperity of his Majesty, and all his Realms; which, in the presence of the same All-seeing Deity, they protested to have been, and still to be, the only End of all their Counsels and Endeavours; wherein they had Resolv’d to continue freed, and enlarged from all Private aims, Personal respects, or Passions whatsoever.

“IN which Resolution, they said, they were nothing discouraged, although the Heads of the Malignant Party disappointed of their Prey, the Religion and Liberty of the Kingdom, which they were ready to seize upon, and devour before the beginning of this Parliament, had still persisted by new Practices, both of force and subtilty, to recover the same again; for which purpose they had made several Attempts for bringing up the Army; they afterwards projected the false Accusation of the Lord *Kimbolton*, and the five Members of the House of Commons, which being in it self of an odious Nature, they had yet so far prevail’d with his Majesty, as to procure him to take it upon himself; but when the unchangeable Duty and Faithfulness of Parliament could not be wrought upon, by such a Fact, as that, to withdraw any part of their Reverence and Obedience from his Majesty, they had, with much Art and Industry, advised his Majesty to suffer divers unjust Scandals, and Imputations upon the Parliament, to be published in his Name, whereby they might make it odious to the People, and, by Their help, destroy that, which hitherto had been the only means of their own Preservation.

“FOR this purpose, they had drawn his Majesty into the Northern Parts far from the Parliament; that so false Rumours might have time to get Credit, and the just Defences of the Parliament find a more tedious, difficult, and disadvantageous Access, after those false Imputations, and Slanders had been first rooted in the apprehension of his Majesty, and his Subjects; which the more speedily to effect, they

The Declaration or Remonstrance of the Lords and Commons, May 19. 1642.

“ had caused a Press to be transported to *York*, from whence
 “ several Papers, and Writings of that kind were conveyed to
 “ all parts of the Kingdom, without the Authority of the
 “ Great Seal, in an unusual and illegal manner, and without
 “ the Advice of his Majesty’s Privy Council ; from the greater
 “ and better part whereof having withdrawn himself, as well
 “ as from his Great Council of Parliament, he was thereby ex-
 “ posed to the wicked and unfaithful Counsels of such, as had
 “ made the Wisdom and Justice of the Parliament dangerous
 “ to themselves ; and that danger they labour’d to prevent by
 “ hiding their own Guilt under the Name, and shadow of the
 “ King ; insuling into him their own Fears, and, as much as
 “ in them lay, aspersing his Royal Person and Honour with
 “ their own Infamy ; from both which it had always been as
 “ much the Care, as it was the Duty, of the Parliament
 “ to preserve his Majesty, and to fix the Guilt of all evil
 “ Actions and Counsels upon those who had been the Au-
 “ thors of them.

“ AMONG divers Writings of that kind, they said, They
 “ the Lords and Commons in Parliament, had taken into
 “ their considerations two printed Papers ; the first containing
 “ a Declaration, which they had receiv’d from his Majesty in
 “ Answer to that which had been presented to his Majesty
 “ from both Houses at *New-Market*, the ninth of *March* 1641.
 “ The other, his Majesty’s Answer to the Petition of both
 “ Houses, presented to his Majesty the 26th of *March* 1642.
 “ Both which were filled with harsh Censures, and causeless
 “ Charges upon the Parliament ; concerning which they held
 “ it necessary to give satisfaction to the Kingdom ; seeing they
 “ found it very difficult to satisfy his Majesty, whom, to their
 “ great grief, they had found to be so engaged to, and pos-
 “ sessed by those misapprehensions, which evil Counsellors
 “ have wrought in him, that their most humble and faithful
 “ Remonstrances had rather irritated and embitter’d, than any
 “ thing allay’d, or mitigated the sharp Expressions, which his
 “ Majesty had been pleas’d to make in Answer to them ; for
 “ the manifestation whereof, and of their own Innocency, they
 “ desired that all his Majesty’s loving Subjects might take no-
 “ tice of these Particulars :

“ THEY knew no occasion given by them, which might
 “ move his Majesty to tell them, that in their Declaration,
 “ presented at *New-Market*, there were some Expressions dif-
 “ ferent from the usual Language to Princes : neither did they
 “ tell his Majesty, either in Words or in Effect, that if he
 “ did not joyn with them in an Act, which he conceiv’d might
 “ prove prejudicial and dangerous to Himself, and the whole
 “ Kingdom, they would make a Law without Him, and im-
 “ pose

pose it upon the People. That which they desired, they said, was, that in regard of the Imminent Danger of the Kingdom, the Militia, for the Security of his Majesty and his People, might be put under the Command of such noble, and faithful Persons, as they had all cause to Confide in : and such was the necessity of this Preservation, that they declared, that if his Majesty should refuse to joyn with them therein, the two Houses of Parliament, being the supreme Court and highest Council of the Kingdom, were enabled, by their own Authority, to provide for the repelling of such Imminent and Evident Danger, not by any New Law of their own making, as had been untruly suggested to his Majesty, but by the most Ancient Law of the Kingdom, even that which is fundamental and essential to the Constitution and Subsistence of it.

ALTHOUGH they never desired, they said, to encourage his Majesty to such Replies as might produce any contestation between him and his Parliament, of which they never found better effect, than loss of Time, and hindrance of the Publick Affairs; yet they had been far from telling him of how little value his Words would be with them, much less when they were accompanied with Actions of Love, and Justice. They said, he had more reason to find fault with those wicked Counsellors, who had so often bereaved Him of the Honour, and his People of the Fruit of so many gracious Speeches which he had made to them, such as those in the end of the last Parliament; that, on the word of a King, and as he was a Gentleman, he would redress the Grievances of his People, as well out of Parliament, as in it. They asked, if the searching the Studies and Chambers, yea, the Pockets of some, both of the Nobility and Commons, the very next day; the Commitment of Mr. *Bellasis*, Sir *Jahn Hotbom*, and Mr. *Crew*; the continued Oppressions by Ship-money, Coat and Conduct-money; with the manifold Imprisonments, and other Vexations thereupon, and other ensuing Violations of the Laws and Liberties of the Kingdom (all which were the effects of evil Counsel, and abundantly declared in their Remonstrance of the State of the Kingdom,) were Actions of Love and Justice, suitable to such Words as those?

As gracious was his Majesty's Speech in the beginning of this Parliament; that he was Resolv'd to put himself freely and clearly upon the Love, and Affection of his English Subjects. They asked whether his causeless Complaints and Jealousies, the unjust Imputations so often cast upon his Parliament, his denial of their necessary Defence by the Ordinance of the Militia, his dangerous absenting himself from

"his Great Council, like to produce such a mischievous Di-
 "vision in the Kingdom, had not been more suitable to other
 "Men's evil Councils, than to his own Words? Neither,
 "they said, had his latter Speeches been better used, and pre-
 "served by those evil, and wicked Counsellors: Could any
 "Words be fuller of Love and Justice, than those in his An-
 "swer to the Message sent to the House of Commons, the 31st
 "of Decemb. 1641. We do engage unto you solemnly the
 "Word of a King, that the Security of all, and every one of
 "you from Violence, is, and ever shall be, as much our Care,
 "as the Preservation of Us and our Children? And could any
 "Actions be fuller of Injustice and Violence, than that of the
 "Attorney General, in falsely accusing the six Members of
 "Parliament, and the other Proceedings thereupon, within
 "three or four days after that Message? For the full view
 "whereof, they desired the Declaration made of those Pro-
 "ceedings might be perused; and by those Instances (they
 "could add many more) the World might judge who de-
 "served to be taxed with disvaluing his Majesty's Words,
 "they who had, as much as in them lay, stain'd and fully'd
 "them with such foul Counsels; or the Parliament, who had
 "so manifestly, with joy and delight, their humble Thank-
 "fulness for those gracious Words, and Actions of Love and
 "Justice, which had been conformable thereunto.

"THE King, they said, had been pleased to Disavow the
 "having, any such evil Counsel or Counsellors as were men-
 "tion'd in their Declaration, to his Knowledge; and they
 "held it their Duty humbly to Avow there were such, or
 "else they must say, that all the ill things done of late in his
 "Majesty's name, had been done by Himself; wherein they
 "should neither follow the Direction of the Law, nor the af-
 "fection of their own Hearts, which was, as much as might
 "be, to clear his Majesty from all imputation of Misgovern-
 "ment, and to lay the fault upon his Ministers. The false
 "accusing of six Members of Parliament; the justifying Mr
 "Attorney in that false accusation; the violent coming to the
 "House of Commons; the denial of the Militia; the sharp
 "Messages to both Houses, contrary to the customs of former
 "Kings; the long and remote Absence of his Majesty from
 "Parliament; the heavy and wrongful Taxes upon both
 "Houses; the cherishing and countenancing a discontented
 "Party in the Kingdom against them, were certainly the fruits
 "of very evil Counsels, apt to put the Kingdom into a Comb-
 "ustion, to hinder the supplies of *Ireland*, and to countenance
 "the Proceedings and pretensions of the Rebels there: and
 "the Authors of these evil Counsels, they conceived, must
 "needs be known to his Majesty; and they hoped Their la-
 "bouring

"bouring with his Majesty, to have those discovered and brought to a just Censure, would not so much wound his Honour in the opinion of his good Subjects, as his labouring to preserve and conceal them.

"AND whereas his Majesty had said, He could wish that his own immediate Actions which he avow'd, and his own Honour might not be so roughly censured under the common Style of evil Counsellors; they said, that they could also heartily wish that they had not cause to make that Style so common; but how often, and undutifully soever, those wicked Counsellors should fix their Dishonour upon the King by making his Majesty the Author of those evil Actions, which were the effects of their own evil Counsels, They his Majesty's Loyal and Dutiful Subjects could use no other Style, according to that Maxim of the Law, *the King can do no wrong*; but if any ill were committed in matter of State, the Council; if in matter of Justice, the Judges must answer for it.

"THEY said, They had laid no Charge upon his Majesty, which should put him upon that Apology, concerning his faithful and zealous Affection for the Protestant Profession: neither did his Majesty endeavour to clear those in greatest Authority about him, by whom they had said that design had been potently Carried on for divers years; and they rather wished that the Mercies of Heaven, than the Judgements, might be manifested upon them; but that there had been such, there were such plentiful and frequent Evidences, that they believ'd there was none, either Protestant or Papist, who had had any reasonable view of the Passages of later Times, but, either in fear or hope, did expect a sudden issue of that Design.

"THEY said, They had no way transgressed against the Act of Oblivion, by remembring the intended War against *Scotland*, as a Branch of that Design to alter Religion by those wicked Counsels, from which God did then deliver them, which they ought never to forget.

"THAT the Rebellion in *Ireland* was framed and cherished by the Popish, and Malignant Party in *England*, was not only affirm'd by the Rebels, but, they said, might be clear'd by many other proofs: the same Rebellious Principles of pretended Religion, the same politick Ends were apparent in both, and their malicious Designs and Practices were masqued, and disguised with the same false colour of their earnest Zeal to vindicate his Majesty's Prerogative, from the supposed oppression of the Parliament. How much those Treacherous Pretences had been countenanced, by some evil Council about his Majesty, might appear in this,

“that the Proclamation, whereby they were declared Traitors, was so long withheld, as to the second of *January*, though the Rebellion broke forth in *October* before, and then no more than forty Copies appointed to be Printed; with a special Command from his Majesty not to exceed that number; and that none of them should be publish’d, till his Majesty’s Pleasure was further signify’d, as by the Warrant appears, a true Copy whereof was annex’d to this Declaration; so that a few only could take notice of it; which was made more observable, by the late contrary Proceedings against the *Scots*, who were in a very quick and sharp manner Proclaimed; and those Proclamations forthwith dispersed, with as much diligence as might be, throughout all the Kingdom, and order’d to be read in all Churches, accompanied with Publick Prayers, and Execrations. Another Evidence of favour and countenance to the Rebels in some of Power about his Majesty, was this, that they had put forth, in his Majesty’s Name, a causeless complaint against the Parliament, which speaks the same Language of the Parliament which the Rebels do, thereby to raise a belief in Men’s minds, that his Majesty’s Affections were alienated, as well as his Person was removed, from that his Great Council. All which, they said, did exceedingly retard the supplies of *Ireland*, and more advance the Proceedings of the Rebels, than any Jealousy or Misapprehension begotten in his Subjects, by the Declaration of the Rebels, Injunction of *Rosetti*, or Information of *Trifram Westcomb*; so that, considering the present State and Temper of both Kingdoms, his Royal Presence was far more necessary here, than it could be in *Ireland*, for redemption or protection of his Subjects there.

“AND whether there were cause of his Majesty’s great Indignation, for being reproached to have intended Force or Threatning to the Parliament, they desired them to consider who should read their Declaration, in which there was no word tending to any such reproach; and certainly, they said, they had been more tender of his Majesty’s Honour in that point, than he, whosoever he was, that did write that Declaration; where, in his Majesty’s Name, he did call God to witness, he never had any such Thought, or knew of any such Resolution of bringing up the Army; which truly, they said, would seem strange to those, who should read the Deposition of Mr *Goring*, the Information of Mr *Piercy*, and divers other Examinations of Mr *Wilmet*, Mr *Pollard*, and others; the other Examination of Captain *Leg*, *St Jacob Ashley*, and *St John Conyers*; and consider the condition and nature of the Petition, which was sent
“unto

“unto *Sr Jacob Ashley*, under the approbation of C. R. which
 “his Majesty had now acknowledged to be his own Hand;
 “and, being full of Scandal to the Parliament, might have
 “proved dangerous to the whole Kingdom, if the Army
 “should have interposed betwixt the King and them, as was
 “desired.

“THEY did not affirm that his Majesty's Warrant was
 “granted for the Passage of Mr *Jermyn*, after the desire of
 “both Houses for restraint of his Servants; but only that he
 “did pass over, after that restraint, by virtue of such a War-
 “rant. They knew the Warrant bore date the day before
 “their desire; yet, they said, it seem'd strange to those, who
 “knew how great respect and power Mr *Jermyn* had in Court,
 “that he should begin his Journey in such haste, and in Appa-
 “rel so unfit for Travel, as a black Sattin Suit, and white
 “Boots, if his going away was design'd the day before.

“THE Accusation of the Lord *Kimbolton*, and the five
 “Members of the House of Commons, was called a breach of
 “Privilege; and truly so it was, and a very high one, far
 “above any satisfaction that had been yet given: for, they
 “asked, how it could be said to be largely satisfy'd, so long
 “as his Majesty labour'd to preserve Mr Attorney from punish-
 “ment, who was the visible Actor in it? So long as his Ma-
 “jesty had not only justify'd him, but by his Letter declar'd,
 “that it was his Duty to accuse them, and that he would have
 “punished him, if he had not done it? So long as those
 “Members had not the means of clearing their Innocency,
 “and the Authors of that malicious Charge were undiscover'd,
 “though both Houses of Parliament had several times Peti-
 “tion'd his Majesty to discover them, and that, not only upon
 “the grounds of Common Justice, but by Act of Parliament,
 “his Majesty was bound to do it? So long as the King re-
 “fused to pass a Bill for their discharge, alledging that the
 “Narrative in that Bill was against his Honour; whereby he
 “seem'd still to avow the Matter of that false and scandalous
 “Accusation, though he deserted the Prosecution, offering
 “to pass a Bill for their Acquittal; yet with intimation that
 “they must desert the avowing their own Innocency, which
 “would more wound them in Honour, than secure them in
 “Law? And in Vindication of that great Privilege of Parlia-
 “ment, they did not know that they had invaded any Privi-
 “lege belonging to his Majesty, as had been alledg'd in that
 “Declaration.

“BUT, they said, they looked not upon that only in the
 “notion of a breach of Privilege, which might be, though the
 “Accusation were true or false; but under the notion of a
 “heinous Crime in the Attorney, and all other Subjects, who
 “had

"had a Hand in it; a Crime against the Law of Nature, a-
 "gainst the Rules of Justice; that Innocent Men should be
 "charged with so great an Offence as Treason, in the face of
 "the highest Judicatory of the Kingdom, whereby their Lives
 "and Estates, their Blood and Honour were endanger'd,
 "without Witness, without Evidence, without all possibi-
 "lity of Reparation in a legal Course; yet a Crime of such
 "a Nature, that his Majesty's Command can no more War-
 "rant, than it can any other Act of Injustice. These things
 "which were evil in their own Nature, such as a false Testi-
 "mony or false Accusation, could not be the subject of any
 "Command, or induce any obligation of Obedience upon any
 "Man, by any Authority whatsoever: therefore the Attur-
 "ney, in that case, was bound to have refused to execute such
 "a Command, unless he had some such Evidence or Testi-
 "mony, as might have Warranted him against the Parties, and
 "be lyable to make satisfaction if it should prove false; and it
 "was sufficiently known to every Man, and adjudg'd in Par-
 "liament, that the King could be neither the Relator, Inform-
 "mer, or Witness. If it should rest as it was, without further
 "satisfaction, no future Parliament could be safe, but that
 "the Members might be taken, and destroy'd, at pleasure;
 "yea the very principles of Government, and Justice would be
 "in danger to be dissolved.

"THEY said, they did not conceive, that Numbers did
 "make an Assembly unlawful, but when either the end, or
 "manner of their carriage should be unlawful. Divers just
 "occasions might draw the Citizens to *Westminster*; where
 "many publick and private Petitions, and other Causes were
 "depending in Parliament; and why that should be found
 "more faulty in the Citizens, than the resort every day in the
 "Term of great Numbers to the ordinary Courts of Justice,
 "they knew not: that those Citizens were notoriously pro-
 "voked, and assaulted at *Westminster* by Colonel *Lunsford*,
 "Captain *Hyde*, and others, and by some of the Servants of
 "the Arch-Bishop of *York*, was sufficiently proved; and that
 "afterwards they were more violently wounded, and most
 "barbarously mangled with Swords, by the Officers and Sol-
 "diers near *White-Hall*, many of them being without Wea-
 "pons, and giving no cause of distast, was likewise proved
 "by several Testimonies; but of any Scandalous or Seditious
 "Misdemeanours of Theirs, that might give his Majesty good
 "cause to suppose his own Person, or those of his Royal Con-
 "sort or Children, to be in apparent danger, they had no
 "proof ever offer'd to either House; and if there had been
 "any complaint of that kind, it was no doubt the Houses
 "would have been as forward to joyn in an Order, for the
 "suppres-

“ suppressing of such Tumults; as they were, not long before,
 “ upon another occasion, when they made an Order to that
 “ purpose; whereas those Officers and Soldiers, which com-
 “ mitted that Violence upon so many of the Citizens at *White-*
 “ *Hall*, were cherished and foster’d in his Majesty’s House;
 “ and when, not long after, the Common Council of *London*
 “ presented a Petition to his Majesty for Reparation of those
 “ injuries, his Majesty’s Answer was, without hearing the
 “ proof of the Complaints, that if any Citizen were wounded
 “ or ill entreated, his Majesty was confidently assured, that it
 “ happen’d by their own evil, and corrupt Demeanours.

“ **THEY** said, they hoped, it could not be thought con-
 “ trary to the Duty and Wisdom of a Parliament, if many con-
 “ curring, and frequently reiterated, and renew’d Advertisements
 “ from *Rome*, *Venice*, *Paris*, and other Parts; if the Sol-
 “ licitations of the Pope’s Nuncio, and their own discontent-
 “ ed Fugitives, did make them jealous, and watchful for the
 “ safety of the State: and they had been very careful to make
 “ their expressions thereof so easy, and so plain to the Capa-
 “ city and Understanding of the People, that nothing might
 “ justly stick with them, with Reflection upon the Person of
 “ his Majesty: wherein they appeal’d to the judgement of any
 “ indifferent Person, who should read and peruse their own
 “ words.

“ **THEY** said, they must maintain the ground of their Fears
 “ to be of that moment, that they could not discharge the
 “ Trust and Duty that lay upon them, unless they did apply
 “ themselves to the use of those means, to which the Law
 “ had enabled them in cases of that nature, for the necessary
 “ Defence of the Kingdom; and as his Majesty did graci-
 “ ously declare, that the Law should be the measure of his
 “ Power; so did they most heartily profess, that they should
 “ always make it the Rule of their Obedience. Then they
 “ observed, that there were certain Prudent Omissions in his
 “ Majesty’s Answer; and said, that the next point of their
 “ Declaration, was, with much caution, artificially passed over
 “ by him who drew his Majesty’s Answer; it being indeed
 “ the Foundation of all Their Misery, and his Majesty’s Trou-
 “ ble, that he was pleased to hear general Taxes upon his Par-
 “ liament, without any particular Charge, to which they
 “ might give satisfaction; and that he had often conceived
 “ Displeasure against particular Persons, upon Misinforma-
 “ tion; and although those Informations had been clearly
 “ proved to be false, yet he would never bring the Accusers
 “ to question; which did lay an impossibility upon honest Men
 “ of clearing themselves, and gave an encouragement to false,
 “ and unworthy Persons to trouble him with untrue and
 “ ground-

“groundless Informations. Three particulars they had mention’d in their Declaration, which the Penner of his Majesty’s Answer had good cause to omit: the words suppos’d to have been spoken at *Kensington*; the pretended Articles against the Queen; and the groundless Accusation of the six Members of Parliament; there being nothing to be said in Defence, or Denial of any of them.

“CONCERNING his Majesty’s desire to joyn with his Parliament, and with his faithful Subjects, in defence of Religion, and the Publick good of the Kingdom, they said, they doubted not he would do it fully, when evil Counsellors should be removed from about him; and until that should be, as they had shew’d before of words, so must they also say of Laws, that they could not secure them: witness the Petition of Right, which had been follow’d with such an Inundation of illegal Taxes, that they had just cause to think, that the payment of eight hundred and twenty thousand pounds, was an easy burthen to the Commonwealth in exchange of them; and they could not but justly think, that if there were a continuance of such ill Counsellors, and Favour to them, they would, by some wicked device or other, make the Bill for the Triennial Parliament, and those other excellent Laws mention’d in his Majesty’s Declaration, of less value than words. That excellent Bill for the continuance of this Parliament, they said, was so necessary, that without it, they could not have rais’d so great Sums of Money for the Service of his Majesty and the Commonwealth, as they had done, and without which the ruin and destruction of the Kingdom; must needs have follow’d: and, they were resolv’d, the gracious favour of his Majesty, express’d in that Bill, and the advantage and security which thereby they had from being Dissolv’d, should not encourage them to do any thing, which otherwise had not been fit to have been done. And they were ready to make it good before all the World, that though his Majesty had pass’d many Bills very advantageous for the Subject, yet in none of them had they bereav’d his Majesty of any just, necessary, or profitable Prerogative of the Crown.

“THEY said, they so earnestly desired his Majesty’s Return to *London*, for that upon it, they conceiv’d, depend’d the very Safety, and Being of both his Kingdoms: and therefore they must protest, that as for the time past, neither the Government of *London*, nor any Laws of the Land, had lost their Life and Force for his Security, so for the future they should be ready to do, or say any thing, that might stand with the Duty, or Honour of a Parliament, which might raise a mutual Confidence between his Majesty

“and

“and them, as they did wish, and as the Affairs of the Kingdom did require.

“THUS far, they said, the Answer to that, which was called his Majesty's Declaration, had led them. Now they came to that, which was entituled his Majesty's Answer to the Petition of both Houses, presented to him at *York* the 26th of *March* 1642. In the beginning whereof, his Majesty wished, that their Privileges on all parts were so stated, that That way of Correspondency might be preserved with that Freedom, which had been used of old. They said, they knew nothing introduced by them, that gave any Impediment thereunto; neither had they affirm'd their Privileges to be broken, when his Majesty denied them any thing, or gave a Reason why he could not grant it; or that those, who advised such Denial, were Enemies to the Peace of the Kingdom, and Favourers of the *Irish* Rebellion; in which Aspersions, that was turn'd to a general Assertion, which, in their Votes, was applied to a particular case; wherefore they must maintain their Votes, that to contradict that, which both Houses, in the Question concerning the Militia, had declared to be Law, and Command it should not be obeyed, is a high breach of Privilege; and that those, who advised his Majesty to absent himself from his Parliament, were Enemies to the Peace of the Kingdom, and justly to be suspected to be Favourers of the Rebellion in *Ireland*. The reasons of both were evident, because, in the First, there was as great a derogation from the Trust and Authority of Parliament; and, in the Second, as much advantage to the proceedings, and hopes of the Rebels, as might be; and they held it a very causeless Imputation upon the Parliament, that they had therein any way impeached, much less taken away the Freedom of his Majesty's Vote; which did not import a Liberty in his Majesty, to deny any thing how necessary soever for the Preservation of the Kingdom, much less a Licence to evil Counsellors, to advise any thing, though never so destructive to his Majesty and his People.

“BY the Message of the twentieth of *January*, his Majesty had propounded to both Houses of Parliament, that they would, with all speed, fall into a serious Consideration of all those particulars which they thought necessary, as well for the upholding and maintaining of his Majesty's Just, and Regal Authority, and for the settling his Revenue, as for the present and future establishing their Privileges; the free and quiet enjoying their Estates; the Liberties of their Persons; the Security of the true Religion, professed in the Church of *England*; and the settling of Ceremonies, in such
“a man-

"a manner, as might take away all just Offence, and digest it into one entire Body.

"To that point of upholding, and maintaining his Royal Authority, They said, nothing had been done to the prejudice of it, that should require any new Provision: To the other of settling the Revenue, the Parliament had no way abridg'd, or disorder'd his just Revenue; but it was true, that much Waste, and Confusion of his Majesty's Estate, had been made by those evil and unfaithful Ministers, whom he had employ'd in the managing of it; whereby his own ordinary Expences would have been disappointed, and the Safety of the Kingdom more endanger'd if the Parliament had not, in some measure, provided for his Household, and for some of the Forts, more than they were bound to do; and they were still willing to settle such a Revenue upon his Majesty, as might make him live Royally, Plentifully, and Safely; but they could not, in Wisdom, and Fidelity to the Common-wealth, do that, till he should choose such Counsellors and Officers, as might order and dispose it to the Publick Good, and not apply it to the Ruin, and Destruction of his People, as heretofore it had been. But that, and the other matters concerning themselves, being works of great Importance, and full of Intricacy, would require so long a time of Deliberation, that the Kingdom might be ruin'd before they could effect them: Therefore they thought it necessary, first to be Suitors to his Majesty, so to order the Militia, that, the Kingdom being secured, they might, with more ease and safety, apply themselves to debate of that Message, wherein they had been interrupted, by his Majesty's denial of the Ordinance concerning the same; because it would have been in vain for them to Labour in other things, and in the mean time, to leave themselves naked to the Malice of so many Enemies, both at Home and Abroad; yet they had not been altogether negligent of those things, which his Majesty had been pleas'd to propound in that Message: They had agreed upon a Book of Rates in a larger proportion, than had been granted to any of his Majesty's Predecessors, which was a considerable support of his Majesty's Publick Charge; and had likewise prepared divers Propositions, and Bills, for Preservation of their Religion and Liberties, which they intended shortly to present to his Majesty; and to do whatsoever was fit for them, to make up that unpleasant breach between his Majesty and the Parliament.

"WHEREAS divers exceptions had been taken concerning the Militia; First, that his Majesty never denied the Thing, but accepted the Persons (except for Corporations) only

“only that he denied the Way; to which they Answer’d,
 “That that Exception took off *London*, and all other great
 “Towns and Cities, which make a great part of the King-
 “dom; and for the Way of Ordinance, it is ancient, more
 “speedy, more easily alterable, and in all these, and other re-
 “spects, more proper, and more applicable to the present oc-
 “casion, than a Bill; which his Majesty called, the good Old
 “Way of imposing upon the Subjects: It should seem, that
 “neither his Majesty’s Royal Predecessors, nor their Ance-
 “stors, had heretofore been of that opinion; 37 Ed. III.
 “they said, they found this Record, The Chancellor made
 “Declaration of the Challenge of the Parliament; the King
 “desires to know the griefs of his Subjects, and to redress
 “Enormities. The last day of the Parliament, the King de-
 “manded of the whole Estates, whether they would have such
 “things as they agreed on, by way of Ordinance, or Statute?
 “who Answer’d by way of Ordinance, for that they might
 “amend the same at their pleasures; and so it was.

“But his Majesty objected further, that there was some-
 “what in the Preface, to which he could not consent with
 “justice to his Honour and Innocence; and that thereby he
 “was Excluded from any power in the disposing of it. These
 “Objections, they said, might seem somewhat, but indeed
 “would appear nothing, when it should be consider’d, that
 “nothing in the Preamble laid any charge upon his Majesty,
 “or in the body of the Ordinance, that excludes his Royal
 “Authority in the disposing, or execution of it: But only it
 “was provided, that it should be signify’d by both Houses of
 “Parliament, as that Chanel, through which it would be
 “best derived, and most certainly to those ends for which it
 “was intended; and let all the World judge whether they
 “had not reason to insist upon it, that the strength of the
 “Kingdom should rather be order’d according to the Advice,
 “or Direction of the great Council of the Land, intrusted by
 “the King, and by the Kingdom, than that the safety of the
 “King, Parliament, and Kingdom, should be left at the devo-
 “tion of a few unknown Counsellors, many of them not in-
 “trusted at all by the King in any publick way, nor at all Con-
 “fided in by the Kingdom.

“THEY wished the Danger were not Imminent, or not
 “still continuing, but could not conceive, that the long time
 “spent in that Debate was evidence sufficient, that there was
 “no such necessity or danger, but a Bill might easily have
 “been prepared; for, when many causes do concur to the
 “danger of a State, the interruption of any one might hinder
 “the execution of the rest, and yet the design be still kept
 “on foot, for better opportunities. Who knew, whether the

" ill success of the Rebels in *Ireland* had not hinder'd the In-
 " surrection of the Papists here ? Whether the preservation
 " of the six Members of the Parliament, falsely accused, had
 " not prevented that Plot of the breaking the neck of this
 " Parliament, of which they were informed from *France*,
 " not long before they were accused ; Yet since his Majesty
 " had been pleas'd to express his pleasure rather for a Bill,
 " than an Ordinance, and that he sent in one for that purpose,
 " they readily entertain'd it; and, with some small and neces-
 " sary alterations, speedily pass'd the same. But contrary to
 " the custom of Parliament, and their expectation, grounded
 " upon his Majesty's own Invitation of them to that way, and
 " other reasons manifested in their Declaration concerning
 " the Militia, of the fifth of *May*, instead of the Royal Assent,
 " they met with an absolute Refusal.

" FOR their Votes of the fifteenth and sixteenth of *March*
 " they said, if the Matter of those Votes were according to
 " Law, they hoped his Majesty would allow the Subjects to
 " be bound by them, because he had said, he would make
 " the Law the Rule of his power ; and if the Question were,
 " whether that were Law, which the Lords and Commons
 " had once declar'd to be so, who should be the judge ? Not
 " his Majesty ; for the King judgeth not of Matters of Law,
 " but by his Courts ; and his Courts, though sitting by His
 " Authority, expected not his Assent in Matters of Law : nor
 " any other Courts ; for they could not judge in that case,
 " because they were inferior, no Appeal lying to them from
 " Parliament, the judgment whereof is, in the eye of the Law,
 " the King's judgment in his highest Court, though the King
 " in his Person be neither present, nor assenting thereunto.

" *The Votes at which his Majesty took exception were these:*

1. " THAT the King's Absence so far remote from his Par-
 " liament, was not only an Obstruction, but might prove a
 " Destruction to the Affairs of *Ireland*.

2. " THAT when the Lords and Commons shall declar
 " what the Law of the Land is, to have this not only que-
 " stion'd and controverted, but contradicted, and a Command
 " that it should Not be obeyed, was a high Breach of the Pri-
 " vilege of Parliament.

3. " THAT those Persons, who advis'd his Majesty to ab-
 " sent himself from the Parliament, are Enemies to the Peace
 " of the Kingdom, and justly may be suspected to be favour-
 " ers of the Rebellion in *Ireland*.

" THAT the Kingdom had been of late, and still was, in
 " so imminent danger, both from Enemies abroad, and from
 " a Popish

"a Popish and Discontented Party at home, that there was an urgent, and inevitable necessity of putting his Majesty's Subjects into a posture of Defence, for the safeguard both of his Majesty and his People.

"THAT the Lords and Commons, fully apprehending this Danger, and being sensible of their own Duty, to provide a suitable Prevention, had, in several Petitions, addressed themselves to his Majesty for the ordering, and disposing the Militia of the Kingdom in such a way, as was agreed upon, by the wisdom of both Houses, to be most effectual, and proper for the present Exigence of the Kingdom, yet could not obtain it; but his Majesty did, several times, refuse to give his Royal Assent thereunto.

"THAT, in this case of extreme Danger and his Majesty's Refusal, the Ordinance of Parliament, agreed upon by both Houses, for the Militia, doth oblige the People, and ought to be obeyed, by the Fundamental Laws of this Kingdom.

"By all which, they said, it did appear, that there had been no colour of that Tax, that they went about to introduce a new Law, much less to exercise an Arbitrary power, but indeed to prevent it: for this Law was as old as the Kingdom; that the Kingdom must not be without a means to preserve it self; which that it might be done without confusion, this Nation had intrusted certain Hands with Power to provide, in an orderly and regular way, for the Good and Safety of the Whole; which Power, by the Constitution of the Kingdom, was in his Majesty, and in his Parliament together: yet since the Prince, being but one Person, is more subject to accidents of Nature and Chance, whereby the Common-wealth may be deprived of the Fruit of that Trust, which was, in part, reposed in him; in cases of such Necessity, that the Kingdom may not be enforced presently to return to it's first Principles, and every man left to do what is right in his own Eyes, without either Guide or Rule; the Wisdom of this State hath intrusted the Houses of Parliament with a power to supply, what should be wanting on the part of the Prince, as is evident by the constant Custom, and Practice thereof, in cases of Nonage, natural Disability, and Captivity; and the like reason doth, and must hold for the exercise of the same Power in such cases, where the Royal Trust cannot be, or is not discharged, and that the Kingdom runs an Evident, and Imminent Danger thereby; which Danger having been declar'd by the Lords and Commons in Parliament, there needs not the Authority of any Person or Court to affirm,

“nor is it in the power of any Person or Court to revoke, that Judgment.

“THEY said, they knew, the King had ways enough, in his ordinary Courts of Justice, to punish such seditious Pamphlets and Sermons, as were any ways prejudicial to his Rights, Honour, and Authority; and if any of them had been so insolently violared and vilify'd, his Majesty's own Council and Officers had been too blame, and not the Parliament: They never had restrain'd any proceedings of that kind in other Courts, nor refused any fit complaint to Them. The Protestation protested, had been referred by the Commons House to a Committee, and, the Author being not produced, the Printer committed to Prison; and the Book Voted by that Committee to be burn'd; but St *Edward Deering*, who was to make that Report of the Votes of that Committee, neglected to make it. The Apprentices Protestation was never complain'd of; but the other seditious Pamphlet, *To your Tent O Israel*, was once question'd, and the full prosecution of it was not interrupted by any fault of either House, whose forwardness to do his Majesty all right therein might plainly appear, in that a Committee of Lords and Commons was purposely appointed, to take such Informations as the King's Council should present concerning seditious Words, Practices or Tumults, Pamphlets or Sermons, tending to the derogation of his Majesty's Rights or Prerogative, and his Council had been enjoyn'd by that Committee, to enquire and present them; who several times met thereupon, and received this Answer and Declaration from the King's Council, that they knew of no such thing as yet.

“THEY said, if his Majesty had used the Service of such a One in penning that Answer, who understood the Laws and Government of this Kingdom, he would not have thought it Legally in his power to deny his Parliament a Guard, when they stood in need of it; since every ordinary Court hath it: neither would his Majesty, if he had been well informed of the Laws, have refused such a Guard as they desired, it being in the power of Inferiour Courts to command their own Guard; neither would he have imposed upon them such a Guard, under a Commander which they could not have Confided in; which is clearly against the Privileges of Parliament, and of which they found very dangerous effects; and therefore desired to have it discharged; But such a Guard, and so Commanded, as the Houses of Parliament desired, they could never obtain of his Majesty; and the placing a Guard about them, contrary to their desire, was not to grant a Guard to them, but in effect to
“let

“ set one Upon them : all which consider’d, they believ’d, in
 “ the judgment of any Indifferent Persons, it would not be
 “ thought strange, if there were a more than ordinary resort
 “ of People to *Westminster*, of such as came willingly, of their
 “ own accord, to be Witnesses, and Helpers of the safety of
 “ Them, whom all his Majesty’s good Subjects are bound to
 “ defend from Violence, and Danger ; or that such a Con-
 “ course as that (they carrying themselves quietly and peace-
 “ ably, as they did) ought in his Majesty’s apprehension, or
 “ could, in the interpretation of the Law, be held Tumul-
 “ tuary and Seditious.

“ THEY said when his Majesty, in that Question of Vio-
 “ lation of the Laws, had express’d the observation of them
 “ indefinitely, without any limitation of Time, although they
 “ never said, or thought any thing, that might look like a
 “ Reproach to his Majesty, yet they had reason to remem-
 “ ber that it had been otherwise, lest they should seem to de-
 “ sert their former Complaints, and Proceedings thereupon,
 “ as his Majesty did seem but little to like or approve them ;
 “ for though he did acknowledge here that great mischief, that
 “ grew by that Arbitrary Power then complain’d of ; yet such
 “ were continually preferred and countenanced, as were
 “ Friends, or Favourers, or Related to the chief Authors and
 “ Actors of that Arbitrary Power, and, of those false colours,
 “ and suggestions of Imminent danger and necessity, whereby
 “ they did make it plausible unto his Majesty : and, on the
 “ other side, such as did appear against them were daily dis-
 “ countenanced, and disgraced : which whilst it should be so,
 “ they had no reason to believe the disease to be yet killed,
 “ and dead at Root, and therefore no Reason to bury it in
 “ Oblivion ; and, whilst they beheld the Spawns of those mis-
 “ chievous Principles cherished, and foster’d in that new ge-
 “ neration of Counsellors, Friends and Abettors of the for-
 “ mer, or at least Concurring with them in their Malignan-
 “ cy against the proceeding of this Parliament, they could not
 “ think themselves secure from the like, or a worse danger.

“ THEY observ’d, the Penner of his Majesty’s Answer be-
 “ stow’d here an admonition upon the Parliament, bidding
 “ them take heed They fell not upon the same error, upon
 “ the same suggestions ; but, they said, he might well have
 “ spared that, till he could have shew’d wherein they had
 “ exercis’d any power, otherwise than by the Rule of the
 “ Law ; or could have found a more Authentick, or a Higher
 “ Judge in matters of Law, than the high Court of Parlia-
 “ ment.

“ IT was declar’d, in his Majesty’s Name, that he resolv’d
 “ to keep the Rule Himself, and, to his power, to require
 “ the

“the same of all others. They said, they must needs acknowledge, that such a resolution was like to bring much happiness, and blessing to his Majesty, and all his Kingdoms; yet, with humility, they must confess, they had not the Fruit of it in that Case of the Lord *Kimbolton*, and the other five Members, accused contrary to Law, both Common and the Statute Law; and yet remained unsatisfy’d: Which Case had been remember’d, in their Declaration, as a strange and unheard of Violation of their Laws: But the Penner of that Answer thought fit to pass it over, hoping that many would read his Majesty’s Answer, which had been so carefully dispersed, who would not read their Declaration.

“WHEREAS, after their ample thanks, and acknowledgment of his Majesty’s favour in passing many good Bills, they had said, that truth and necessity inforced them to add this, that in, or about the time of passing those Bills, some Design or other had been on foot, which, if it had taken effect, would not only have deprived them of the Fruit of those Bills, but would have reduced them to a worse condition of confusion, than that wherein the Parliament found them: it was now told them, that the King must be most sensible of what they had cast upon him, for the requital of those good Bills; whereas, out of their usual tenderness of his Majesty’s honour, they did not mention Him at all; but so injurious, they said, were those wicked Counsellors to the Name, and Honour of their Master and Sovereign, that as much as they could, they laid their own Infamy and Guilt upon His Shoulders.

“HERE, they observed, God also was called to witness his Majesty’s upright intentions at the passing of those Laws; which, they said, they would not question, neither did they give any occasion for such a solemn Asseveration, as that was; the Devil was likewise defied to prove there was any design, with his Majesty’s knowledge or privy. That might well have been spared; for they spake nothing of his Majesty: but since they were so far taxed, as to have it affirmed, that they had laid a false, and notorious Imputation upon his Majesty, they thought it necessary, for the just defence of their own Innocency, to cause the Oaths and Examinations, which had been taken, concerning the Design, to be published in a full Narration, for satisfaction of all his Majesty’s Subjects; out of which they would now offer some few Particulars, by which the world might judge, whether they could proceed with more tenderness towards his Majesty, than they had done. Mr *Goring* confessed, that the King first asked him, whether he were engaged

“engaged in any Cabal concerning the Army? and command-
 “ed him to joyn with Mr *Piercy*, and Mr *Jermyn*, and some
 “others whom they should find at Mr *Piercy*’s Chamber;
 “where they took the Oath of Secrecy, and then debated of
 “a design proposed by Mr *Jermyn*, to secure the Tower, and
 “to consider of bringing up the Army to *London*: and Cap-
 “tain *Leg* confessed, he had received the draught of a Peti-
 “tion, in the King’s presence; and his Majesty acknow-
 “ledgeth, it was from his own Hand: and whosoever reads
 “the Sum of that Petition, as it was proved by the Testimony
 “of Sr *Jacob Astley*, Sr *John Conyers*, and Captain *Leg*, will
 “easily perceive some Points in it, apt to beget in them some
 “Discontents against the Parliament. And could any man
 “believe there was no Design in the Accusation of the Lord
 “*Kimbolton*, and the rest, in which his Majesty doth avow
 “himself to be both a Commander, and an Actor? These
 “things being so, it would easily appear to be as much
 “against the Rules of Prudence, that the Penner of that An-
 “swer should entangle his Majesty in that unnecessary Apo-
 “logy, as it was against the Rules of Justice, that any Repa-
 “ration from Them should be either yielded, or demanded.

“It was professed, in his Majesty’s Name, that he is tru-
 “ly sensible of the Burthens of his People; which made them
 “hope that he would take that course, which would be most
 “effectual to ease them of those burthens, that was, to joyn
 “with his Parliament in preserving the Peace of the King-
 “dom, which, by his Absence from them, had been much
 “endanger’d; and which, by hindering the voluntary Ad-
 “ventures for the recovery of *Ireland*, and disabling the Sub-
 “jects to discharge the great Tax imposed on them, was like
 “to make the War much more heavy to the Kingdom. And
 “for his Majesty’s Wants, the Parliament had been no cause
 “of them; They had not diminished his just Revenue, but
 “had much eased his Publick Charge, and somewhat his
 “Private, and they should be ready, in a Parliamentary way,
 “to settle his Revenue in such an Honourable proportion, as
 “might be answerable to both, when he should put himself
 “into such a posture of Government, that his Subjects might
 “be secure to enjoy his just Protection for their Religion,
 “Laws, and Liberties.

“THEY said, they never refused his Majesty’s gracious Of-
 “fer, of a free and general Pardon, only they said, it could
 “be no Security to their present Fears and Jealousies: and
 “they gave a Reason for it; that those Fears did not arise
 “out of any Guilt of their own Actions, but out of the evil
 “Designs and Attempts of others; and they left the World to
 “judge, whether They therein had deserved so heavy a Tax

“and Exclamation? (That it was a strange World, when
 “Princes proffer’d Favours were counted Reproaches : such
 “were the words of his Majesty’s Answer) who did esteem
 “that Offer as an Act of Princely Grace and Bounty, which,
 “since the Parliament begun, they had humbly desired they
 “might obtain, and did still hold it very necessary, and ad-
 “vantageous for the generality of the Subject, upon whom
 “the Taxes and Subsidies lie heaviest : but, they said, they
 “saw, upon every Occasion, how unhappy they were in his
 “Majesty’s misapprehensions of their Words, and Actions.

“THEY said, they were fully of the King’s mind, as it
 “was there declared, that he might rest so secure of the Af-
 “fections of his Subjects, that he should not stand in need of
 “Foirreign Force to preserve him from Oppression ; and were
 “confident, that he should never want an abundant evidence
 “of the good Wilhes, and Assistance of his whole Kingdom ;
 “especially if he would be pleased to hold to that gracious
 “Resolution of building upon that sure Foundation, the Law
 “of the Land ; but why his Majesty should take it ill, that
 “they, having received Informations so deeply concerning
 “the safety of the Kingdom, should think them fit to be con-
 “sider’d of, they could not conceive ; for although the Name
 “of the Person was unknown, yet that which was more sub-
 “stantial to the probability of the report was known, that is,
 “that he was servant to the Lord *Digby* ; who, in his pre-
 “sumptuous Letter to the Queen’s Majesty, and other Letters
 “to *St Lewis Drves*, had intimated some wicked Proposition,
 “suitable to that Information ; but that this should require Re-
 “paration, they held it as far from Justice, as it was from
 “Truth that they had mixed any Malice with those Ru-
 “mours, thereby to feed the Fears and Jealousies of the Peo-
 “ple.

“IT was affirmed, that his Majesty was driven From them,
 “but not By them ; yet perchance, they said, hereafter, if
 “there should be opportunity of gaining more credit, there
 “would not be wanting who would suggest unto his Majesty,
 “that it was done By them : and if his Majesty were driven
 “from them, they hoped it was not by his own Fears, but
 “by the Fears of the Lord *Digby*, and his Retinue of Cava-
 “liers ; and those no Fears of any Tumultuary violence, but
 “of their just punishment for their manifold insolence, and
 “intended violence against the Parliament : And this was ex-
 “pressed by the Lord *Digby* himself, when he told those Ca-
 “valiers, that the principal cause of his Majesty’s going out
 “of Town, was to save Them from being trampled in the
 “Dirt : but of his Majesty’s Person, there was no cause of
 “Fear ; in the greatest heat of the People’s Indignation, after
 “the

"the Accufation, and his Majesty's violent coming to the Houfe,
 "there was no fhew of any evil intention againft his Regal
 "Perfon; of which there could be no better Evidence than this,
 "that he came the next day without a Guard into the City,
 "where he heard nothing but Prayers and Petitions, no Threat-
 "nings, or irreverent Speeches, that might give him any juft
 "occasions of Fear, that they had heard of, or that his Ma-
 "jesty expreffed; for he ftaid near a week after at *White-Hall*,
 "in a fecure and peaceable Condition: whereby they were
 "induced to believe, that there was no difficulty, or doubt
 "at all, but his Majesty's refidence near *London* might be as
 "fafe, as in any part of the Kingdom. They faid, they were
 "moft affured of the faithfulness of the City, and Suburbs;
 "and for themfelves, they fhould quicken the Vigour of the
 "Laws, and Induftry of the Magiftrate, the Authority of
 "Parliament, for the fuppreffing of all Tumultuary Infolence
 "whatfoever, and for the vindicating of his Honour from all
 "unfupportable and insolent Scandals, if any fuch fhall be
 "found to be raifed upon him, as were mention'd in that An-
 "fwer: and therefore they thought it altogether unnecessary,
 "and exceeding inconvenient, to Adjourn the Parliament to
 "any other place.

"WHERE the defire of a good understanding betwixt the
 "King and Parliament, was on both fides fo earneft, as was
 "there professed by his Majesty to be in Him, and they had
 "fufficiently testify'd to be in Themfelves, it feem'd ftrange
 "they fhould be, they faid, fo long afunder; it could be no-
 "thing elfe but evil and malicious Counfel in mifrepresenting
 "their Carriage to his Majesty, and in difpofing his Favour
 "to them. And as it fhould be far from them to take any
 "advantage of his Majesty's fupposed ftreights, as to defire,
 "much lefs compel him to that, which his Honour or In-
 "tereft might render unpleasant, or grievous to him; fo,
 "they hoped, his Majesty would not make his own Un-
 "derftanding or Reason the Rule of his Government; but
 "would fuffer himfelf to be affifted with a Wife and Pru-
 "dent Council, that might deal faithfully betwixt Him and
 "his People: and that he would remember, that his Refo-
 "lutions did concern Kingdoms; and therefore ought not
 "to be moulded by his own, much lefs by any Private Per-
 "fons, which was not alike proportionable to fo great a
 "Truft: And therefore they ftill defired and hoped, that his
 "Majesty would not be guided by his own Underftanding,
 "or think thofe Courfes, Streights and Neceffities, to which
 "he fhould be advifed by the Wifdom of both Houfes of
 "Parliament, which are the Eyes in the Politick Body, where-
 "by his Majesty was, by the Conftitution of the Kingdom,

“to discern the differences of those things, which concern
“the Publick Peace and Safety thereof.

“THEY said, they had given his Majesty no cause to say,
“that they did meanly value the discharge of his Publick
“Duty; whatsoever Acts of Grace or Justice had been done,
“they proceeded from his Majesty by the Advice and Coun-
“sel of his Parliament, yet they had and should always An-
“swer them with constant Gratitude, and Obedience, and Af-
“fection; and although many things had been done, since
“this Parliament, of another nature, yet they should not
“cease to desire the continued Protection of Almighty God
“upon his Majesty, and most humbly Petition him to cast
“from him all those evil, and contrary Counsels, which had,
“in many particulars formerly mention’d, much detracted
“from the Honour of his Government, the Happiness of his
“own Estate, and Prosperity of his People.

“AND having passed so many Dangers from abroad, so
“many Conspiracies at home, and brought on the Publick
“Work so far, through the greatest difficulties that ever stood
“in opposition to a Parliament, to such a degree of success,
“that nothing seem’d to be left in the way able to hinder
“the full Accomplishment of their Desires, and Endeavours
“for the Publick Good, unless God in his Justice did send a
“grievous Curse upon them, as to turn the strength of the
“Kingdom against it self, and to effect that by their own
“Folly and Credulity, which the Power and Subtily of their
“Enemies could not attain, that was, to divide the People
“from the Parliament, and to make them serviceable to the
“Ends, and Aimes of those who would destroy them: There-
“fore they desired the Kingdom to take notice of that last
“most desperate, and mischievous Plot of the Malignant Party,
“that was acted and prosecuted in many parts of the King-
“dom, under plausible notions of stirring them up to a care
“of preserving the King’s Prerogative; maintaining the Dis-
“cipline of the Church; upholding and continuing the Reve-
“rence, and Solemnity of God’s Service; and encouraging
“of Learning: And, upon those grounds, divers mutinous
“Petitions had been framed in *London, Kent*, and other Coun-
“ties; and sundry of his Majesty’s Subjects, had been solli-
“cited to declare themselves for the King against the Parlia-
“ment; and many false and foul Aspersions had been cast
“upon their Proceedings, as if they had been not only negli-
“gent, but averse in those Points; whereas they desired no-
“thing more, than to maintain the purity and power of Re-
“ligion, and to honour the King in all his just Prerogatives;
“and for encouragement and advancement of Piety and
“Learning, they had very earnestly endeavour’d, and still did,
“to

“to the utmost of their Power, that all Parishes might have
 “Learned, Pious, and Sufficient Preachers, and all such
 “Preachers, competent Livings.

“MANY other Bills and Propositions, they said, were in
 “preparation, for the King’s Profit and Honour, the People’s
 “Safety and Prosperity; in the proceedings whereof, they
 “were much hinder’d by his Majesty’s Absence from the Par-
 “liament; which was altogether contrary to the use of his
 “Predecessors, and the Privilege of Parliament, whereby their
 “time was consumed by a multitude of unnecessary Messages,
 “and their Innocency wounded by causeless and sharp In-
 “vectives; yet they doubted not but they should overcome
 “all this at last, if the People suffer not themselves to be de-
 “luded with false and specious shews, and so drawn to be-
 “tray Them to their own undoing, who had ever been wil-
 “ling to hazard the undoing of themselves, that they might
 “not be betrayed, by their neglect of the Trust reposed in
 “them: But if it were not possible they should prevail here-
 “in, yet they would not fail, through God’s Grace, still to
 “persist in their Duties, and to look beyond their own Lives,
 “Estates, and Advantages, as those who think nothing worth
 “the enjoying without the Liberty, Peace, and Safety of the
 “Kingdom; nor any thing too good to be hazarded in dis-
 “charge of their Consciences, for the obtaining of it: And
 “should always repose themselves upon the Protection of Al-
 “mighty God, which, they were confident, would never be
 “wanting to them (while they sought His Glory) as they
 “had found it, hitherto, wonderfully going along with them,
 “in all their Proceedings.

WITH this Declaration they published the Examinations
 of Mr *Goring*, Mr *Piercy*’s Letter to the Earl of *Northumber-
 land*; which were the great Evidence they had of the Plot
 of bringing up the Army, to awe the Parliament; and sever-
 al other Letters and Depositions, or rather such parts of De-
 positions, as contributed most to their purpose. For the truth
 is, as they never published, so much as to the Houses which
 were to Judge, many Depositions of Witnesses, whose Testi-
 monies, in a manner, vindicated the King from those Asper-
 sions, which they had a mind should stick upon him (for many
 such there were) so of those which they did publish, they
 left out many parts, which, being added, would either have
 obscured, or contradicted, or discredited much of that, out
 of which they made the People believe much to the King’s
 disservice. And yet with all those ill Arts and Omissions, I
 presume many, who without passion do now read those De-
 positions (for they are in all hands to be read) do much mar-
 vel how such conclusions could result to his Majesty’s disad-

vantage, out of the worst part of all that Evidence; which could not, naturally, carry that sense to which it was wrested.

ABOUT this time (which I shall mention before the other Declaration; because it interven'd) there happen'd an Accident that gave them much trouble, and the more, because unlooked for, by the Lord Keeper's quitting them and resorting to *Tork*, by which the King got the possession of his own Great Seal; which by all Parties was, at that time, thought a most considerable advantage. The King was very much unsatisfy'd with the Lord Keeper *Littleton*; who did not appear so useful for his Service as he expected, and, from the time of the Accusing the Members, had lost all his Vigour, and instead of making any opposition to any of their extravagant Debates, he had silently suffer'd all things to be carried; and had not only declined the performing the Office the King had enjoin'd him, with reference to the Earls of *Essex* and *Holland* (before mention'd) but very much complied with, and courted that Party of both Houses, which frequently resorted to him; and of late in a question, which had been put in the House of Peers, in the point of the Militia, he had given his Vote both against the King and the Law, to the infinite Offence and Scandal of all those who adhered to the King.

HE was a Man of great Reputation in the profession of the Law; for Learning, and all other Advantages, which attend the most Eminent Men; he was of a very good Extraction in *Shropshire*, and inherited a fair Fortune, and Inheritance from his Father; he was a handsome, and a proper Man, of a very graceful Presence, and notorious for Courage, which, in his Youth, he had manifested with his Sword; he had taken great pains in the hardest, and most knotty part of the Law, as well as that which was more customary, and was not only very ready and expert in the Books, but exceedingly versed in Records, in studying and examining whereof, he had kept Mr *Selden* company, with whom he had great friendship, and who had much assisted him; so that he was looked upon the best Antiquary of the Profession, who gave himself up to Practice; and, upon the meer strength of his own Abilities, he had raised himself into the first Rank of the Practicers in the Common Law Courts, and was chosen Recorder of *London* before he was called to the Bench, and grew presently into the highest Practice in all the other Courts, as well as those of the Law. When the King looked more narrowly into his business, and found that he should have much to do in *Westminster-Hall*, he removed an old, useless, illiterate Person, who had been put into that Office by the favour of the Duke of *Buckingham*, and made *Littleton* his Solicitor

Solicitor General, much to his Honour, but not to his Profit; the obligation of Attendance upon that Office, depriving him of much benefit he used to acquire by his Practice, before he had that relation. Upon the death of the Lord *Cventry*, *Finch* being made Keeper, He was made Chief Justice of the Common Pleas, then the best Office of the Law, and that which he was wont to say, in his highest Ambition, in his own private wishes, he had most desired; and it was indeed the Sphere in which he moved most gracefully, and with most advantage, being a Master of all that Learning and Knowledge, which that Place required, and an excellent Judge, of great Gravity, and above all suspicion of Corruption.

WHILST he held this Place, he was by the favour of the Arch-Bishop of *Canterbury*, and the Earl of *Strafford*, who had a great esteem of him, recommended to the King to be called to the Council Table, where he kept up his good Name; and, upon the Lord *Finch's* leaving the Kingdom, in the beginning of the Parliament, he was thought, in many respects, to be the fittest to be entrusted in that Office; and, upon the desire of the Earl of *Strafford* after he was in the Tower, was Created a Baron, out of expectation that, by his Authority and Knowledge of the Law, he would have been of great use in restraining those extraordinary, and unwarrantable Proceedings; but, from the time he had the Great Seal, he seem'd to be out of his Element, and in some perplexity and irresolution in the Chancery it self, though he had great experience in the practice, and proceedings of that Court; and made not that dispatch, that was expected, at the Council Table; and in the Parliament he did not preserve any dignity; and appear'd so totally dispirited, that few Men shew'd any respect to him, but they who most oppos'd the King, who indeed did exceedingly apply themselves to him, and were with equal kindness received by him. This wonderful alteration in him, his Friends believed to have proceeded from a great sickness, which had seized upon him quickly after he was Created a Baron, inasmuch as every Man believed he would die; and by this means, he did not attend the House in some Months; and so perform'd none of those Offices toward the Earl of *Strafford*, the expectation whereof had been the sole Motive to that Promotion: From that time he never did appear the same Man; but sure there were other Causes for it, and he was possessed with some melancholy apprehensions, which he could not Master, and had no Friend to whom he durst entirely communicate them.

Mr *Hyde*, one of those who was most trusted by the King in the House of Commons, and had always had a great respect for

for the Keeper, was as much troubled at his behaviour, as any Man; and using frequently to go to him, went upon that occasion; and with great freedom and plainness, told him, "how much he had lost the esteem of all Good Men, and "that the King could not but be exceedingly dissatisfy'd with "him; and discoursed over the matter of that Vote. Though he did not know, that the King did at that time put so great a secret Trust in Mr *Hyde*, yet he knew very well, that the King had a very good opinion of him, and had heard his Majesty often, from the beginning of the Parliament, when the discourse happen'd to be of the Lawyers of the House, take an occasion from thence to mention Mr *Hyde*, as a Man of whom he heard very well; which the Keeper had many times taken notice of to him: and then he knew the Friendship that was between the Lord *Falkland* and Mr *Hyde*, and had heard the many Jealousies which were contracted, upon the great communication he had with the two new Counsellors; and so no doubt believed, that he knew much of the King's mind. So that as soon as he had enter'd upon this discourse, which he heard with all attention (they being by themselves in his Study, at *Exeter House*) He rose from his Chair, and went to the Door; and finding some Persons in the next Room, he bad them to withdraw; and locking both the Door of that Room, and of his Study, he sat down himself, and making Mr *Hyde* sit down too, he begun "with "giving him many thanks for his Friendship to him, which, "he said, he had ever esteem'd, and he could not more manifest the esteem he had of it and him, than by using that "freedom again with him, which he meant to do. Then he "lamented his own Condition; and that he had been prefer'd "from the Common Pleas, where he knew both the Business "and the Persons he had to deal with, to the other high Office he now held, which obliged him to converse and transact with another sort of Men, who were not known to "him, and in Affairs, which he understood not, and had not "one Friend among them, with whom he could confer upon "any doubt, which occurred to him.

He spoke then of the unhappy state and condition of the King's business; how much he had been, and was still, betrayed by Persons who were about him; and with all possible indignation against the proceedings of the Parliament; and said, "they would never do this, if they were not resolv'd "to do more: that he knew the King too well, and observed "the Carriage of particular Men too much, and the whole "current of publick Transactions these last five or six Months, "not to foresee that it could not be long, before there would "be a War between the King and the two Houses; and of
"the

“the importance, in that Season, that the Great Seal should be with the King. Then he fell into many expressions of his Duty, and Affection to the King’s Person, as well as to his high Degree: and “that no Man should be more ready, “to perish with, and for his Majesty, than He would be; that “the prospect he had of this necessity, had made him carry “himself towards that Party with so much compliance, that “he might be gracious with them, at least, that they might “have no distrust of him; which, he knew, many had endeavoured to infuse into them; and that there had been a consultation within few days, whether, in regard he might be sent for by the King, or that the Seal might be taken from him, it would not be best to appoint the Seal to be kept in some such secure place, as that there might be no danger of losing it; and that the Keeper should always receive it, for the execution of his Office; they having no purpose to disoblige him. And the knowledge he had of this consultation, and fear he had of the execution of it, had been the reason, why in the late Debate upon the Militia, he had given his Vote in such a manner, as, he knew, would make very ill impressions with the King, and many others who did not know him very well; but that, if he had not, in that Point, submitted to their opinion, the Seal had been taken from him that Night; whereas by this compliance in that Vote, which could only prejudice himself, and not the King, he had gotten so much into their Confidence, that he should be able to preserve the Seal in his own hands, till the King required it; and then he would be as ready to attend his Majesty with it.

Mr *Hyde* was very well pleased with this discourse; and asked him, “whether he would give him leave, when there should be a fit occasion, to assure the King, that he would perform this Service, when the King should require it? He desired, “that he would do so, and pass his Word for the performance of it, as soon as his Majesty pleased, and so they parted.

It was within very few days after, that the King, exceedingly displeased and provoked with the Keeper’s behaviour, sent an Order to the Lord *Falkland*, “to require the Seal from him; in which the King was very positive, though he was not resolved to what hand to commit it. His Majesty wished them (for he always included the other Two in such references) to consider, “whether he should give it “to the Lord Chief Justice *Banks* (against whom he made some objection himself) “or into the hands of Mr *Selden*; and “to send their opinions to him. The Order was positive for requiring it from the present Officer, but they knew not
who

who to advise for a Successor. The Lord Chief Justice *Banks* appeared to be as much afraid, as the other; and not thought equal to that Charge, in a time of so much disorder; though otherwise he was a Man of great Abilities, and unblemished integrity; they did not doubt of Mr *Selden's* Affection to the King, but withal they knew him so well, that they concluded he would absolutely refuse the place, if it were offer'd to him. He was in years, and of a tender Constitution; he had for many years enjoyed his ease, which he loved; was Rich; and would not have made a Journey to *York*, or have lain out of his own Bed, for any Preferment; which he had never affected.

BEING all Three of one mind, that it would not be fit to offer it to the one or the other; hereupon Mr *Hyde* told them the Conference he had with the Keeper, and the professions he had made; and was very confident, that he would very punctually perform it; and therefore proposed, that "they might, "with their Opinions of the other Persons, likewise advise "his Majesty to suspend his Resolution concerning the Lord "Keeper, and rather to write kindly to him, to bring the "Seal to his Majesty, instead of sending for the Seal it self, "and cast him off; and offer'd to venture his own Credit with the King, that the Keeper would comply with his Majesty's Commands. Neither of them were of his opinion; and had both no esteem of the Keeper, nor believed, that he would go to his Majesty, if he were sent for, but that he would find some trick to excuse himself; and therefore were not willing, that Mr *Hyde* should venture his Reputation upon it. He desired them then "to consider how absolutely necessary it "was, that the King should first resolve into what hand to "put the Seal, before he removed it; for that it could not "be unemploy'd one hour, but that the whole Justice of the "Kingdom would be put out of order, and draw a greater and "a juster clamour, than had been yet: That there was as much "care to be taken, that it should not be in the power of any "Man to refuse it, which would be yet more prejudicial to "his Majesty. He desired them above all, to weigh well, "that the business consisted only in having the Great Seal in "the place where his Majesty resolved to be; and if the "Keeper would keep his promise, and desired to serve the "King, it would be unquestionably the best way, that He "and the Seal were both there: if, on the other side, he were "not an Honest Man, and cared not for offending the King, "he would then refuse to deliver it; and inform the Lords of "it: who would justify him for his disobedience, and reward "and cherish him; and he must then hereafter serve Their "turn; the mischief whereof would be greater, than could be

"easily

"easily imagined: and his Majesty's own Great Seal should
"be every day used against him, nor would it be possible in
"many Months to procure a New one to be made.

THESE Objections appear'd of weight to them; and they
Resolv'd to give an account of the whole to the King, and to
expect his Order: and both the Lord *Falkland*, and Mr *Hyde*,
writ to his Majesty, and sent their Letters away that very
Night. The King was satisfy'd with the Reasons, and was
very glad that Mr *Hyde* was so confident of the Keeper;
though, he said, "he remained still in doubt; and Resolv'd
"that he would, such a day of the Week following, send for
"the Keeper and the Seal; and that it should be, as had been
advised, upon a *Saturday* Afternoon, as soon as the House of
Lords should rise; because then no notice could be taken of
it till *Monday*. Mr *Hyde*, who had continued to see the Keeper
frequently, and was confirm'd in his confidence of his Inte-
grity, went now to him; and finding him firm to his Reso-
lution, and of opinion, in regard of the high Proceedings of
the Houses, that it should not be long deferr'd; he told him,
"that he might expect a Messenger the next Week, and that
"he should once more see him, when he would tell him the
"Day; and that he would then go himself away before him
"to *Tork*, with which he was much pleas'd, and it was agreed
between the Three, that it was now time, that he should be
gone (the King having sent for him some time before) after
a day or two; in which time the Declaration of the nine-
teenth of *May* would be pass'd.

ON the *Saturday* following, between two and three of the
Clock in the Afternoon, Mr *Elliot*, a Groom of the Bed-
Chamber to the Prince, came to the Keeper, and found him
alone in the Room where he used to sit, and deliver'd him a
Letter from the King in his own hand; wherein he required
him, with many expressions of kindness and esteem, "to
"make hast to him; and if his indisposition (for he was often
troubled with gravel and sharpness of Urine) "would not suf-
"fer him to make such hast upon the Journey, as the occasion
"required, that he should deliver the Seal to the Person who
"gave him the Letter; who, being a strong young Man,
"would make such hast as was necessary; and that he might
"make his own Journey, by those degrees which his Health
"required. The Keeper was surpris'd with the Messenger,
whom he did not like; and more when he found that he
knew the contents of the Letter, which, he hoped, would
not have been communicated to any Man, who should be sent:
He Answer'd him with much reservation, and when the other
with bluntness, as he was no polite Man, demanded the Seal
of him, which he had not thought of putting out of his own
hands;

*N.B. There was one P^r John Elliot a very furious Incendi-
ary in Parliament at y^e Beginning of Ch. King's Reign &
y^e shown in Mr Richard Hist. of England*

hands; he Answer'd him, "that he would not deliver it in-
 "to any hands, but the King's; but presently recollecting
 himself, and looking over his Letter again, he quickly con-
 sider'd, that it would be hazardous to carry the Seal himself
 such a Journey; and that if by any pursuit of him, which he
 could not but suspect, he should be seized upon, the King
 would be very unhappily disappointed of the Seal, which he
 had reason so much to depend upon; and that his misfortune
 would be wholly imputed to his own fault and infidelity
 (which without doubt he abhor'd with his heart) and the
 only way to prevent that mischief, or to appear innocent un-
 der it, was to deliver the Seal to the Person trusted by the
 King himself to receive it; and so, without telling him any
 thing of his own purpose, he delivered the Seal into his hands;
 who forthwith put himself on his Horse, and with wonderful
 expedition presented the Great Seal into his Majesty's own
 hands, who was infinitely pleas'd with It, and with the
 Messenger.

THE Keeper, that Evening, pretended to be indispos'd,
 and that he would take his rest early, and therefore that no
 body should be admitted to speak with him: and then he
 call'd Serjeant *Lee* to him, who was the Serjeant who waited
 upon the Seal, and in whom he had great Confidence, as he
 well might; and told him freely, "That he was resolv'd, the
 "next Morning, to go to the King, who had sent for him;
 "that he knew well, how much malice he should contract
 "by it from the Parliament, which would use all the means
 "they could to apprehend him; and he himself knew not
 "how he should perform the Journey, therefore he put him-
 "self entirely into his hands; that he should cause his Horses
 "to be ready against the next Morning, and only his own
 "Groom to attend them, and he to guide the best way, and
 "that he would not impart it to any other Person. The ho-
 nest Serjeant was very glad of the Resolution, and chearfully
 undertook all things for the Journey; and so sending the
 Horses out of the Town, the Keeper put himself in his Coach
 very early the next Morning, and as soon as they were out of
 the Town, He and the Serjeant, and one Groom, took their
 Horses, and made so great a Journey that day, it being about
 the beginning of *June*, that before the end of the third day,
 he kiss'd the King's hand at *Tork*.

HE had purposely procur'd the House of Peers to be Ad-
 journ'd to a later hour, in the Morning for *Monday*, than it
 us'd to be. *Sunday* pass'd without any Man's taking notice
 of the Keeper's being absent; and many, who knew that he
 was not at his House, thought he had been gone to *Cranford*,
 to his Country House, whither he frequently went on *Sa-*

two day nights, and was early enough at the Parliament on *Monday* Mornings; and so the Lords the more willingly consented to the later Adjournments for those days. But on *Monday* Morning, when it was known when, and in what manner he had left his House, the confusion in both Houses was very great; and they who had thought that their interest was so great in him, that they knew all his thoughts, and had valued themselves, and were valued by others, upon that account, hung down their heads, and were even distracted with shame: However they could not but conclude, that He was out of their reach before the Lords met; yet to shew their indignation against him, and it may be in hope that his Infirmities would detain him long in the Journey (as no body indeed thought that he could have perform'd it, with that expedition) they issued out such a Warrant for the apprehending him, as had been in the case of the foulest Felon or Murderer; and Printed it, and caused it to be dispersed by Expresses, over all the Kingdom with great hast. All which circumstances both before, and after the Keeper's Journey to *York*, are the more particularly, and at large set down, out of justice to the memory of that noble Person; whose Honour suffer'd then much in the opinion of many, by the confident report of the Person, who was sent for, and receiv'd the Seal, and who was a loud and bold Talker, and desired to have it believed, that his Manhood had ravished the Great Seal from the Keeper, even in spite of his teeth; which, how impossible soever in it self, found too much Credit; and is therefore cleared by this very true and punctual Relation, which in truth is but due to him.

BUT the Trouble and Distraction, which at this time possessed them, was visibly very great; and their dejection such, that the same day the Earl of *Northumberland* (who had been of another temper) moved, "that a Committee might be appointed, to consider how there might be an Accommodation between the King and his People, for the Good, Happiness, and Safety of both King and Kingdom; which Committee was appointed accordingly.

THIS temper of Accommodation troubled them not long, new Warmth and Vigour being quickly infused into them by the unbroken, and undaunted Spirits of the House of Commons; which, to shew how little they valued the Power or Authority of the King, though supported by having now his Great Seal by him, on the 26th of *May* agreed on a new Remonstrance to the People; in which, the Lords concurring, they informed them,

"THAT although the great Affairs of the Kingdom, and the miserable bleeding Condition of the Kingdom of *Ireland* ^{The two Houses Remon-} *France, May* 1642. afforded

“afforded them little leisure, to spend their time in Declara-
 “tions, and in Answers, and Replies, yet the Malignant
 “Party about his Majesty taking all occasions to multiply Ca-
 “lumnies upon the Houses of Parliament, and to publish
 “sharp invectives, under his Majesty’s Name against them,
 “and their proceedings (a new Engine they had invented to
 “heighten the Distractions of this Kingdom, and to beget,
 “and increase distrust, and disaffection between the King, and
 “his Parliament, and the People) they could not be so much
 “wanting to their own Innocency, or to the duty of their
 “Trust, as not to clear themselves from those false aspersions,
 “and (which was their chiefest care) to disabuse the People’s
 “minds, and open their Eyes, that, under the false shews,
 “and pretexts of the Law of the Land, and of their own
 “Rights, and Liberties, they may not be carried into the
 “Road way, that leadeth to the utter Ruin, and Subversion
 “thereof. A late occasion that those wicked Spirits of divi-
 “sion had taken to defame, and indeed to arraign the pro-
 “ceedings of both Houses of Parliament, had been from
 “their Votes of the 28th of *April*, and their Declaration con-
 “cerning the business of *Hull*, which because they put forth,
 “before they could send their Answer concerning that matter
 “unto his Majesty, those Mischievous Instruments of dissen-
 “sion, between the King, and the Parliament, and the People,
 “whose chief Labour, and Study, was to misrepresent their
 “Actions to his Majesty, and to the Kingdom, would needs
 “interpret this as an Appeal to the People, and a declining
 “of all intercourse between his Majesty and them; as if they
 “thought it to no purpose, to endeavour any more, to give
 “his Majesty satisfaction; and, without expecting any longer
 “their Answer, under the Name of a Message from his Ma-
 “jesty to both Houses, they themselves had indeed made an
 “Appeal to the People, as the Message it self did in a man-
 “ner grant it to be, offering to joyn issue with them in that
 “way, and in the nature thereof did clearly shew it self to
 “be no other; therefore They would likewise Address their
 “Answer to the Kingdom, not by way of Appeal (as they
 “were charged) but to prevent them from being their own
 “Executioners, and from being perswaded under false colours
 “of defending the Law, and their own Liberties, to destroy
 “both with their own hands, by taking their Lives, Liber-
 “ties, and Estates out of Their hands, whom they had cho-
 “sen, and entrusted therewith, and resigning them up unto
 “some evil Counsellors, about his Majesty, who could lay no
 “other foundation of their own greatness, but upon the Ruin
 “of this, and, in It, of all Parliaments; and in Them, of the
 “true Religion, and the Freedom of this Nation. And these,

“ they said, were the Men that would persuade the People, that both Houses of Parliament, containing all the Peers, and representing all the Commons of *England*, would destroy the Laws of the Land, and Liberties of the People; wherein, besides the Trust of the whole, they themselves in their own particulars, had so great an Interest of Honour, and Estate, that they hoped it would gain little Credit with any, that had the least use of Reason, that such, as must have so great a share in the Misery, should take so much pains in the procuring thereof; and spend so much time, and run so many hazards to make themselves Slaves, and to destroy the property of their Estates. But that they might give particular satisfaction to the several Imputations cast upon them, they would take them in order, as they were laid upon them in that Message.

“ FIRST They were charged for the avowing that Act of *Sr John Hotham*; which was term'd unparallel'd, and an high, and unheard of Affront unto his Majesty, and as if they needed not to have done it; he being able, as was alledg'd, to produce no such Command of the Houses of Parliament. They said, although *Sr John Hotham* had not an Order, that did express every Circumstance of that Case, yet he might have produced an Order of both Houses, which did comprehend this Case, not only in the clear Intention, but in the very Words thereof; which they knowing in their Consciences to be so, and to be most necessary for the Safety of the Kingdom, they could not but in Honour, and Justice avow that Act of His; which, they were confident, would appear to all the World to be so far from being an Affront to the King, that it would be found to have been an Act of great Loyalty to his Majesty, and to his Kingdom.

“ THE next Charge upon them was, that instead of giving his Majesty satisfaction, they published a Declaration concerning that business, as an Appeal to the People, and as if their intercourse with his Majesty, and for his satisfaction, were now to no more purpose; which course was alledg'd to be very unagreeable to the Modesty and duty of former times, and not warrantable by any Precedents, but what themselves had made. They said, if the Penner of that Message had expected awhile, or had not expected that two Houses of Parliament (especially burthen'd, as they were at that time, with so many pressing, and urgent Affairs) should have moved as fast as himself, he would not have said, that Declaration was instead of an Answer to his Majesty; which they did dispatch with all the speed, and diligence they could, and had sent it to his Majesty by a Committee of both Houses;

“ Houses ; whereby it appeared, that they did it not upon that ground, that they thought it was no more to any purpose, to endeavour to give his Majesty satisfaction.

“ AND as for the Duty and Modesty of former times, from which they were said to have varied, and to want the Warrant of any Precedents therein, but what Themselves had made : If they had made any Precedents this Parliament, they had made them for Posterity, upon the same, or better grounds of Reason and Law, than those were upon, which their Predecessors first made for Them : And as some Precedents ought not to be rules for them to follow, so none could be limits to bound their Proceedings ; which might, and must vary, according to the different condition of Times. And for that Particular, of setting forth Declarations for the satisfaction of the People, who had chosen, and entrusted them with all that was dearest to them : If there were no example for it, it was because there were never any Monsters before, that ever attempted to disaffect the People from a Parliament, or could ever harbour a thought that it might be effected. Were there ever such practices to poison the People with an ill apprehension of the Parliament ? Were there ever such imputations, and scandals laid upon the Proceedings of both Houses ? Were there ever so many, and so great breaches of Privilege of Parliament ? Were there ever so many, and so desperate designs of force and violence against the Parliament, and the Members thereof ? If they had Done more than ever their Ancestors had Done, they said, they had Suffered more than ever They had Suffered ; and yet, in point of Modesty and Duty, they would not yield to the best of former times ; and they would put that in issue, whether the highest, and most unwarrantable Precedents of any of his Majesty's Predecessors, did not fall short, and much below, what had been done to them this Parliament ? And on the other side, whether, if they should make the highest Precedents of other Parliaments their Patterns, there would be cause to complain of want of modesty, and duty in Them ; when they had not so much as suffered such things to enter into their Thoughts, which all the world knew They put in Act ?

“ ANOTHER Charge which was laid very high upon them, and which were indeed a very great Crime if they were found guilty thereof, was, that by avowing that Act of *Sr John Hotbam*, they did, in consequence, confound and destroy the title, and interest of all his Majesty's good Subjects to their Lands and Goods ; and that, upon this ground ; that his Majesty had the same Title to his Town of *Bed*, which any of his Subjects had to their Houses or Land ;

“ and

“and the same to his Magazine and Munition there, that any
 “Man had to his Money, Plate, or Jewels: And therefore,
 “that they ought not to have been disposed of, without, or
 “against his Consent, no more than the House, Land, Money,
 “Plate, or Jewels of any Subject ought to be, without, or a-
 “gainst his Will.

“HERE, they said, that was laid down for a Principle,
 “which would indeed pull up the very foundation of the li-
 “berty, property, and interest of every Subject in particular,
 “and of all the Subjects in general, if they should admit it
 “for a truth, that his Majesty had the same right and title to
 “his Towns, and to his Magazines (bought with the publick
 “Moneys, as they conceived that at *Hull* to have been) that
 “every particular Man hath to his House, Lands, and Goods.
 “For his Majesty's Towns were no more his own, than his
 “Kingdom was his own; and his Kingdom was no more his
 “own, than his People are his own; and if the King had a
 “property in all his Towns, what would become of the Sub-
 “jects propriety in their Houses therein? and if He had a pro-
 “priety in his Kingdom, what would become of the Subjects
 “property in their Lands throughout the Kingdom? or of
 “their Liberties, if his Majesty had the same right in their
 “Persons, that every Subject hath in his Lands, and Goods?
 “and what would become of all the Subjects interests in the
 “Towns, and Forts of the Kingdom, and in the Kingdom it
 “self, if his Majesty might sell, or give them away, or dis-
 “pose of them at his pleasure, as a particular Man might do
 “with his Lands, and with his Goods? This erroneous
 “Maxim being infused into Princes, that their Kingdoms are
 “their own, and that they may do with them what they will,
 “as if their Kingdoms were for Them, and not They for
 “their Kingdoms, was, they said, the Root of all the Sub-
 “jects misery, and of the invading of their just Rights, and
 “Liberties; whereas, indeed, they are only entrusted with
 “their Kingdoms, and with their Towns, and with their
 “People, and with the publick Treasure of the Common-
 “wealth, and whatsoever is bought therewith; and, by the
 “known Law of this Kingdom, the very Jewels of the Crown
 “are not the King's proper Goods, but are only entrusted to
 “him, for the use and ornament thereof: As the Towns,
 “Forts, Treasure, Magazines, Offices, and the People of the
 “Kingdom, and the whole Kingdom it self is entrusted unto
 “him, for the good, and safety, and best advantage thereof:
 “and as this Trust is for the use of the Kingdom, so ought it
 “to be managed by the advice of the Houses of Parliament,
 “whom the Kingdom hath trusted for that purpose; it being
 “their duty to see it discharged according to the condition

“and true intent thereof; and as much as in them lies, by all possible means, to prevent the contrary; which, if it had been their chief care, and only aime, in the disposing of the Town and Magazine of *Hull* in such manner as they had done, they hoped it would appear clearly to all the world, that they had discharged their own Trust, and not invaded that of his Majesty, much less his Property; which, in that case, they could not do.

“BUT admitting his Majesty had indeed a Property in the Town and Magazine of *Hull*; who doubted but that a Parliament may dispose of any thing, wherein his Majesty, or any Subject hath a right, in such a way, as that the Kingdom may not be exposed to Hazard, or Danger thereby? Which was Their case, in the disposing of the Town and Magazine of *Hull*. And whereas his Majesty did allow this, and a greater power to a Parliament, but in that sense only, as he himself was a Part thereof; they appeal'd to every man's conscience, that had observed their proceedings, whether they disjoyn'd his Majesty from his Parliament, who had in all humble ways sought his concurrence with them, as in that particular about *Hull*, and for the removal of the Magazine there, so also in all other things; or whether those evil Councils about him, had not separated him from his Parliament; not only in distance of place, but also in the discharge of the joint Trust with them, for the Peace and Safety of the Kingdom in that, and some other Particulars.

“THEY had given no occasion to his Majesty, they said, to declare with so much earnestness his resolution, that he would not suffer either, or both Houses by their Votes, without, or against his Consent, to enjoyn any thing that was forbidden by the Law, or to forbid any thing that was enjoyn'd by the Law, for their Votes had done no such thing: And as they should be very tender of the Law (which they did acknowledge to be the safeguard, and custody of all publick and private Interests) so they would never allow a few private Persons about the King, nor his Majesty himself in his own Person, and out of his Courts, to be judge of the Law, and that contrary to the judgment of the highest Court of Judicature. In like manner, that his Majesty had not refused to consent to any thing, that might be for the Peace and Happiness of the Kingdom, they could not admit it in any other sense, but as his Majesty taketh the measure of what will be for the Peace and Happiness of his Kingdom, from some few ill affected Persons about him, contrary to the Advice, and Judgment of his great Council of Parliament. And because the Advice of both Houses of Parliament had, through the suggestion

“cf

“of evil Counsellors, been so much undervalued of late, and
 “so absolutely rejected and refused, they said, they held it fit
 “to declare unto the Kingdom, whose Honour and Interest
 “was so much concern’d in it, what was the Privilege of
 “the Great Council of Parliament herein; and what was
 “the Obligation that lay upon the Kings of this Realm, to
 “pass such Bills, as are offer’d to them by both Houses of
 “Parliament, in the Name, and for the Good of the whole
 “Kingdom, whereunto they stand engaged both in Consci-
 “ence, and justice, to give their Royal Assent: In Consci-
 “ence, in regard of the Oath, that is, or ought to be taken
 “by the Kings of this Realm at their Coronation, as well to
 “confirm by their Royal Assent such good Laws, as the Peo-
 “ple shall choose, and to remedy by Law such inconveniences,
 “as the Kingdom may suffer; as to keep, and protect the
 “Laws already in being; as may appear both by the Form
 “of the Oath upon Record, and in Books of good Authority,
 “and by the Statute of the 25 of *Edward* the III. Entituled,
 “the Statute of Provisors of Benefices; the Form of which
 “Oath, and the Clause of the Statute that concerneth it, are
 “as followeth:

Rot. Parliament. H. IV. N. 17.

*Forma juramenti soliti, & consueti præstari per Reges Angliæ
 in eorum Coronatione.*

Servabis Ecclesiæ Dei, Cleroque, & Populo, pacem ex inte-
 gro, & concordiam in Deo, secundum vires tuas?

Respondet, Servabo.

Facies fieri in omnibus judiciis tuis æquam, & rectam justiti-
 am, & discretionem in misericordia & veritate, secundum
 vires tuas?

Respondet, Faciam.

Concedis justas Leges, & consuetudines esse tenendas; &
 promittis per te eas esse protegendas, & ad honorem Dei cor-
 roborandas, quas Vulgus elegerit, secundum vires tuas?

Respondet, Concedo & Promitto.

Adjicianturque prædictis Interrogationibus quæ justa fue-
 rint, præaunciatisque omnibus, confirmet Rex se omnia ser-
 vaturum, sacramento super Altare præstito, coram cunctis.

*A Clause in the preamble of a Statute made the 25 Edw. III.
 Entituled, the Statute of Provisors of Benefices.*

WHEREUPON the said Commons have prayed our said
 Lord

Lord the King; That sith the Right of the Crown of *England*, and the Law of the said Realm is such, that upon the mischiefs and damages, which happen to this Realm, He ought, and is bound by his Oath, with the accord of his People in his Parliament, thereof to make Remedy and Law, and in removing the mischiefs, and damages which thereof ensue, that it may please Him thereupon to ordain Remedy.

OUR Lord the King seeing the mischiefs and damages before mention'd, and having regard to the Statute made in the time of his said Grandfather, and to the Causes contained in the same, which Statute holdeth always his force, and was never defeated, repealed, or annulled in any point, and by so much he is bound by his Oath to cause the same to be kept as the Law of his Realm, though that, by sufferance and negligence, it hath been sithence attempted to the contrary: Also having regard to the grievous complaints made to him by his People, in divers his Parliaments holden heretofore, willing to ordain Remedy for the great damages, and mischiefs which have happen'd, and daily do happen, to the Church of *England* by the said Cause:

"HERE, they said, the Lords, and Commons claim it directly as the Right of the Crown of *England*, and of the Law of the Land, and that the King is bound by his Oath, with the accord of his People in Parliament, to make Remedy, and Law, upon the mischiefs and damages, which happen to this Realm; and the King doth not deny it, although he take occasion from a Statute formerly made by his Grandfather, which was laid as part of the grounds of this Petition, to fix his Answer upon another branch of his Oath, and pretermits that which is claimed by the Lords and Commons; which he would not have done, if it might have been excepted against.

"IN Justice, they said, they are obliged thereunto, in respect of the Trust reposed in them; which is as well to preserve the Kingdom by the making new Laws, where there shall be need, as by observing of Laws already made; a Kingdom being, many times, as much exposed to ruin, for the want of a new Law, as by the violation of those that are in being: and this is so clear a Right, that, no doubt, his Majesty would acknowledge it to be as due to his People, as his Protection. But how far forth he was obliged to follow the judgement of his Parliament therein, that is the Question. And certainly, besides the words in the King's Oath, referring unto such Laws as the People shall choose, as in such things which concern the Publick Weal and Good of the Kingdom, They are the most proper judges, who
"are

are sent from the whole Kingdom for that very purpose ; so they did not find, that since Laws have passed by way of Bills (which are read Thrice in both Houses and Committed ; and every part, and circumstance of them fully weighed, and debated upon the Commitment, and afterwards passed in both Houses) that ever the Kings of this Realm did deny them, otherwise than is expressed in that usual Answer, *Le Roy S'avisera* ; which signifies rather a suspension, than a refusal of the Royal Assent. And in those other Laws, which are framed by way of Petitions of Right, the Houses of Parliament have taken themselves to be so far Judges of the Right claimed by them, that when the King's Answer hath not, in every point, been fully according to their desires, they have still insisted upon their claim, and never rested satisfy'd, till such time as they had an Answer according to their demand ; as had been done in the late Petition of Right, and in former times upon the like occasion. And if the Parliament be Judge between the King and his People in the Question of Right (as by the manner in the claim in Petitions of Right, and by Judgements in Parliament, in cases of illegal Impositions and Taxes, and the like, it appears to be) why should they not be so also, in the Question of the Common Good, and Necessity of the Kingdom ; wherein the Kingdom hath as clear a Right also to have the benefit, and remedy of Law, as in any thing whatsoever ? And yet they did not deny, but that in Private Bills, and also in Publick Acts of Grace, as Pardons, and the like Grants of Favour, his Majesty might have a greater latitude of Granting, or Denying, as he should think fit.

ALL this consider'd, they said, they could not but wonder, that the Contriver of that Message should conceive, the People of this Land to be so void of Common sense, as to enter into so a deep mistrust of those, whom they have, and his Majesty ought to repose so great a Trust in, as to despair of any security in their private Estates, by Descents, Purchases, Assurances, or Conveyances ; unless his Majesty should, by His Vote, prevent the prejudice, they might receive therein by the Votes of both Houses of Parliament ; as if They, who are especially chosen, and entrusted for that purpose, and who Themselves must needs have so great a share in all Grievances of the Subject, had wholly cast off all care of the Subjects Good, and his Majesty had solely taken it up ; and as if it could be imagined, that They should, by their Votes, overthrow the Rights of Descents, Purchases, or of any Conveyance or Assurance, in whose Judgement the whole Kingdom hath placed all their particular

“cular Interests, if any of them should be called in question, in any of those cases; and that (as not knowing where to place them, with greater security) without any Appeal from Them to any other Person, or Court whatsoever.

“BUT indeed they were very much to seek, how the Case of *Hull* could concern Descents and Purchases, or Conveyances and Assurances; unless it were in procuring more security to Men in their Private Interests, by the preservation of the Whole from Confusion, and Destruction; and much less did they understand, how the Sovereign Power was resisted, and despised therein. Certainly no Command from his Majesty, and his High Court of Parliament (where the Sovereign Power resides) was disobeyed by *St John Hotbam*; nor yet was his Majesty's Authority derived out of any other Court, nor by any legal Commission, or by any other way, wherein the Law had appointed his Majesty's Commands to be derived to his Subjects; and of what validity his Verbal Commands are, without any such stamp of his Authority upon them, and against the Order of both Houses of Parliament, and whether the not submitting thereunto, be a resisting and despising of the Sovereign Authority, they would leave to all Men to judge, that do at all understand the Government of this Kingdom.

“THEY acknowledged that his Majesty had made many expressions of his Zeal, and Intentions against the desperate designs of the Papists; but yet it was also a true, that the Counsels, which had prevail'd of late with him, had been little suitable to those Expressions, and Intentions. For what did more advance the open, and bloody design of the Papists in *Ireland* (whereon the secret Plots of the Papists here did, in all likelihood, depend) than his Majesty's absenting himself, in that manner that he did, from his Parliament; and setting forth such sharp Invectives against them, notwithstanding all the humble Petitions, and other means, which his Parliament had addressed unto him, for his return, and for his satisfaction concerning their proceedings? And what was more likely to give a rise to the designs of the Papists (whereof there were so many in the North, near to the Town of *Hull*) and of other Malignant, and ill Affected Persons (which were ready to joyn with them) or to the Attempts of Forreigners from abroad, than the continuing of that great Magazine at *Hull*, at this time, and contrary to the desire and advice of both Houses of Parliament? So that they had too much cause to believe, that the Papists had still some way and means, whereby they had influence upon his Majesty's Counsels for their own advantage.

“FOR

"FOR the Malignant Party, they said, his Majesty needed
 "not a definition of the Law, nor yet a more full Character
 "of them from both Houses of Parliament, for to find them
 "out, if he would please only to apply the Character, that
 "Himself had made of them, to those, unto whom it doth
 "properly and truly belong. Who are so much disaffected to
 "the Peace of the Kingdom, as they that endeavour to disaf-
 "fect his Majesty from the Houses of Parliament, and per-
 "swade him to be at such a distance from them, both in
 "place and affection? Who are more disaffected to the Go-
 "vernment of the Kingdom, than such as lead his Majesty
 "away from hearkning to his Parliament; which, by the Con-
 "stitution of the Kingdom, is his greatest and best Council;
 "and perswade him to follow the malicious Counsels of some
 "private Men, in opposing and contradicting the wholesome
 "Advices, and just Proceedings of that his most faithful
 "Council, and highest Court? Who are they, that not only
 "neglect and despise, but labour to undermine the Law un-
 "der colour of maintaining it, but they that endeavour to de-
 "stroy the Fountain and Conservatory of the Law, which is
 "the Parliament? And who are they that set up other Rules
 "for themselves to walk by, than such as were according to
 "Law, but they that will make other Judges of the Law than
 "the Law hath appointed; and so dispense with their Obe-
 "dience to that, which the Law calleth Authority, and to
 "their determinations and resolutions, to whom the judge-
 "ment doth appertain by Law? For, when private Persons
 "shall make the Law to be their Rule according to their own
 "understanding, contrary to the judgement of those that are
 "the competent Judges thereof, they set up unto themselves
 "other Rules than the Law doth acknowledge. Who those
 "Persons were, none knew better than his Majesty himself:
 "And if he would please to take all possible caution of them,
 "as destructive to the Common-wealth and Himself, and
 "would remove them from about him, it would be the most
 "effectual means to compose all the Distractions, and to cure
 "the Distempers of the Kingdom.

"FOR the Lord Digby's Letter, they said, they did not
 "make mention of it as a ground to hinder his Majesty from
 "visiting his own Fort; but they appeal'd to the judgement of
 "any indifferent Man, that should read that Letter, and com-
 "pare it with the posture that his Majesty then did, and still
 "doth, stand in towards the Parliament, and with the circum-
 "stances of that late Action of his Majesty's going to *Hall*,
 "whether the advisers of that Journey intended only a Visit
 "of that Fort, and Magazine?

"As to the ways and overtures of Accommodation, and
 "the

"the Message of the twentieth of *January* last, so often pressed, but still in vain, as was alledg'd : Their Answer was, "That although so often as that Message of the twentieth of "*January* had been pressed, so often had their Privileges been "clearly infringed, that a way and method of proceedings "shou'd be prescribed to them, as well for the settling of his "Majesty's Revenue, as for the presenting of their own Desires (a thing which in former Parliaments had always been "excepted against, as a breach of Privilege) yet, in respect "to the matter contained in that Message, and out of their "earnest desire to beget a good understanding between his "Majesty and them, they swallowed down all matters of Circumstance; and had e're that time presented the chief of "their desires to his Majesty, had they not been interrupted "with continual Denials, even of those things that were necessary for their present Security, and Subsistence; and had "not those Denials been follow'd with perpetual Invectives against Them, and their Proceedings; and had not those "Invectives been heaped upon them so thick one after another "(who were in a manner already taken up wholly with the "pressing Affairs of this Kingdom, and of the Kingdom of "*Ireland*) that as they had little encouragement from thence, "to hope for any good Answers to their Desires, so they had "not so much time left them to perfect them in such a manner, as to offer them to his Majesty.

"THEY confessed it to be a Resolution most worthy of a "Prince, and of his Majesty, to shut his Ears against any "that would incline him to a Civil War; and to abhor the "very apprehension of it. But they could not believe that "mind to have been in them, that came with his Majesty to "the House of Commons; or in them that accompanied "his Majesty to *Hampton-Court*, and appeared in a Warlike "manner at *Kingston* upon *Thames*; or in divers of them, "who followed his Majesty lately to *Hull*; or in them, who "after drew their Swords in *York*, demanding, *Who would be "for the King?* nor in them that advised his Majesty to declare *Sr John Hotham* a Traitor, before the Message was "sent concerning that business to the Parliament, or to make "Propositions to the Gentlemen of the County of *York* to assist his Majesty to proceed against him in a way of Force, "before he had, or possibly could receive an Answer from "the Parliament, to whom he had sent to demand Justice of "them against *Sr John Hotham* for that Fact: and if those "Malignant Spirits should ever force them to defend their "Religion, the Kingdom, the Privileges of Parliament, and "the Rights, and Liberties of the Subjects, with their Swords, "the Blood, and Destruction that should ensue thereupon,

"must

"must be wholly cast upon their Account; God, and their
 "own Consciences told them, that they were clear; and they
 "doubted not, but God, and the whole World would clear
 "them therein.

"FOR Captain *Leg*, they had not said that he was accused,
 "or that there was any Charge against him, for the bringing
 "up of the Army; but that he was employ'd in that busi-
 "ness. And for that concerning the Earl of *New-Castle*, men-
 "tioned by his Majesty, which was said to have been asked
 "long since, and that it was not easy to be Answer'd: They
 "conceiv'd it was a Question of more difficulty, and harder
 "to be Answer'd, why, when his Majesty held it necessary,
 "upon the same grounds that first moved from the Houses of
 "Parliament, that a Governour should be placed in that Town;
 "S^r *John Hotbham*, a Gentleman of known Fortune and In-
 "tegrity, and a Person of whom both Houses of Parliament
 "had exprest their Confidence, should be refused by his Ma-
 "jesty; and the Earl of *New-Castle* (who, by the way, was so
 "far named in the business of bringing up the Army, that al-
 "though there was not ground enough for a Judicial Proceed-
 "ing, yet there was ground of suspicion; at least his Reputa-
 "tion was not left so unblemish'd thereby, as that he should
 "be thought the fittest Man in *England* for that Employment
 "of *Hull*) should be sent down, in a private way from his
 "Majesty to take upon him that Government? And why he
 "should disguise himself under another Name, when he came
 "thither, as he did? But whosoever should consider, together
 "with those circumstances, that of the time when S^r *John Ho-*
 "*tham* was appointed, by both Houses of Parliament, to take
 "upon him that Employment, which was presently after his
 "Majesty's coming to the House of Commons, and upon the
 "retiring himself to *Hampton-Court*, and the Lord *Digby's* af-
 "sembling of Cavaliers at *Kingston* upon *Thames*, would find
 "reason enough, why that Town of *Hull* should be commit-
 "ted rather to S^r *John Hotbham*, by the Authority of both
 "Houses of Parliament, than to the Earl of *New-Castle*, sent
 "from his Majesty in that manner that he was. And for the
 "Power, that S^r *John Hotbham* had from the two Houses of
 "Parliament, the better it was known and understood, they
 "were confident the more it would be approved and justi-
 "fied: and as they did not conceive, that his Majesty's re-
 "fusal to have that Magazine removed, could give any advan-
 "tage against him to have it taken from him; and as no such
 "thing was done, so they could not conceive, for what other
 "Reason any should Counsel his Majesty, not to suffer it to be
 "removed, upon the desire of both Houses of Parliament;
 "except it were, that they had an intention to make use of
 "it against Them.

"THEY

“THEY said, they did not except against those that presented a Petition to his Majesty at *York*, for the continuance of the Magazine at *Hull*, in respect of their Condition, or in respect of their Number; because they were mean Persons, or because they were Few; but because they being but a few, and there being so many more in the County of as good Quality as themselves (who had, by their Petition to his Majesty, disavow'd that Act of theirs) that they should take upon them the Style of all the Gentry, and Inhabitants of that County; and, under that Title, should presume to interpose their Advice contrary to the Votes of both Houses of Parliament: And, if it could be made to appear, that any of those Petitions, that are said to have been presented to the Houses of Parliament, and to have been of a strange nature, were of such a nature as that, they were confident, that they were never receiv'd with their Consent and Approbation.

“WHETHER there was an intention to deprive *Sr John Hotbani* of his Life, if his Majesty had been admitted into *Hull*; and whether the Information were such, as that he had ground to believe it, they would not bring into question; for that was not, nor ought to have been, the ground for doing what he did: Neither was the number of his Majesty's Attendants, for being more or fewer, much considerable in that Case; for although it were true, that if his Majesty had entred with twenty Horse only, he might happily have found means for to have forced the Entrance of the rest of his Train; who, being once in the Town, would not have been long without Armes; yet that was not the ground, upon which *Sr John Hotbani* was to proceed; but upon the Admittance of the King into the Town at all, so as to deliver up the Town and Magazine unto him, and to whomsoever he should give the Command thereof, without the Knowledge and Consent of both Houses of Parliament, by whom he was entrusted to the contrary: and his Majesty having declar'd, that to be his intention concerning the Town, in a Message that he sent to the Parliament, not long before he went to *Hull*; saying, that he did not doubt, but that Town should be deliver'd up to him, whensoever he pleased, as supposing it to be kept against him; and in like manner concerning his Magazine, in his Message of the 24th of *April*, wherein it is expressed, that his Majesty went thither, with a purpose to take into his hands the Magazine, and to dispose of it in such manner, as he should think fit: Upon those Terms, *Sr John Hotbani* could not have admitted his Majesty, and have made good his Trust to the Parliament, though his Majesty would have
“enter'd

“enter’d alone, without any Attendants at all of his own,
 “or of the Prince or Duke, his Sons ; which they did not
 “wish to be less, than they were, in their Number, but could
 “heartily wish that they were generally better in their Con-
 “dition.

“IN the close of that Message, his Majesty stated the Case
 “of *Hull* ; and thereupon inferr’d, that the Act of *Sr John*
Hotbarn was levying War against the King ; and, conse-
 “quently, that it was no less than High Treason, by the Let-
 “ter of the Statute of the 25 *Edw. III. ch. 2.* unless the sense
 “of that Statute were very far differing from the Letter
 “thereof.

“IN the stating of that Case, they said, divers Particulars
 “might be observ’d, wherein it was not rightly stated: As,

1. “THAT his Majesty’s going to *Hull*, was only an en-
 “deavour to Visit a Town, and Fort of his: whereas it was
 “indeed to Possess himself of the Town, and Magazine there,
 “and to dispose of them, as he himself should think good,
 “without, and contrary to the Advice, and Orders of both
 “Houses of Parliament ; as did clearly appear by his Majesty’s
 “own Declaration of his Intentions therein, by his Messages
 “to both Houses, immediately before, and after that Journey.
 “Nor could they believe, that any Man, who should consider
 “the circumstances of that Journey to *Hull*, could think,
 “that his Majesty would have gone thither at that time, and
 “in that posture, that he was pleased to put himself in to-
 “wards the Parliament, if he had intended only a Visit of the
 “Town and Magazine.

2. “IT was said to be his Majesty’s own Town, and his
 “own Magazine, which being understood in that sense, as was
 “before expressed, as if his Majesty had a private Interest of
 “Propriety therein, they could not admit it to be so.

3. “WHICH was the main Point of all, *Sr John Hotbarn*
 “was said to have shut the Gates against his Majesty, and to
 “have made resistance with Armed Men, in defiance of his
 “Majesty ; whereas it was indeed in obedience to his Majesty,
 “and his Authority, and for his Service, and the Service of
 “the Kingdom ; for which use only, all that Interest is, that
 “the King hath in the Town ; and it is no further his to di-
 “pose of, than he useth it for that end : and *Sr John Hotbarn*
 “being Commanded to keep the Town and Magazine, for his
 “Majesty and the Kingdom, and not to deliver them up, but
 “by his Majesty’s Authority signified by both Houses of Par-
 “liament, all that was to be understood by those expressions,
 “of his denying, and opposing his Majesty’s entrance, and
 “telling him in plain terms, that he should not come in, was
 “only this, that he humbly desired his Majesty to forbear
 “his

" his entrance, till he might acquaint the Parliament ; and
 " that his Authority might come signified to him by both
 " Houses of Parliament , according to the Trust reposed in
 " him. And certainly, if the Letter of the Statute of the 25
 " *Edw. III. ch. 2.* be thought to import this, That no War
 " can be Levied against the King, but what is directed, and
 " intended against his Person, or that every Levying of Forces
 " for the defence of the King's Authority, and of his King-
 " dom, against the Personal Commands of the King opposed
 " thereunto, though accompanied with his Presence, is Le-
 " vying War against the King, it is very far from the Sense
 " of that Statute ; and so much the Statute it self speaks (be-
 " sides the Authority of Book-Cases ; Precedents of divers
 " Traytors condemn'd upon that interpretation thereof.) For
 " if the Clause of Levying of War had been meant only a-
 " gainst the King's Person, what need had there been thereof
 " after the other branch of Treason, in the same Statute, of
 " compassing the King's Death, which would necessarily have
 " implied this ? And because the former Clause doth imply
 " this, it seems not at all to be intended in this latter branch ;
 " but only the Levying of War against the King, that is, a-
 " gainst his Laws and Authority : and the Levying of War
 " against his Laws and Authority, though not against his Per-
 " son, is Levying War against the King, but the Levying of
 " Force against his Personal Commands, though accompa-
 " nied with his Presence, and not against his Laws and Au-
 " thority, but in the maintenance thereof, is no Levying of
 " War against the King, but for him.

" HERE was then, they said, their Case : In a time of so
 " many successive Plots, and Designs of Force against the Par-
 " liament, and the Kingdom ; in a time of probable Inva-
 " sion from abroad, and that to begin at *Hull*, and to take the
 " opportunity of seizing upon so great a Magazine there ; in a
 " time of so great distance and alienation of his Majesty's Af-
 " fection from his Parliament (and in Them from his King-
 " dom, which they represent) by the wicked suggestions of a
 " few Malignant Persons, by whose mischievous Counsels
 " he was wholly led away from his Parliament, and their
 " faithful Advices and Counsels : In such a time, the Lords
 " and Commons in Parliament command *Sr John Hotbom*, to
 " draw in some of the Traind-bands of the parts adjacent to
 " the Town of *Hull*, for the securing that Town and Maga-
 " zine for the Service of his Majesty, and of the Kingdom :
 " of the safety whereof there is a higher Trust reposed in
 " Them, than any where else ; and they are the proper Judges
 " of the danger thereof.

" THIS Town and Magazine being entrusted to *Sr John*
 " *Hotbom*

" *Hotbam*, with exprefs Order not to deliver them up, but by
 " the King's Authority fignified by both Houfes of Parliament ;
 " his Majesty, contrary to the Advice and Directions of both
 " Houfes of Parliament, without the Authority of any Court, or
 " any Legal way, wherein the Law appoints the King to fpeak
 " and command, accompanied with the fame evil Council
 " about him that he had before, by a Verbal command requires
 " *Sr John Hotbam* to admit him into the Town, that he might
 " difpofe of It, and of the Magazine there, according to his
 " own, or rather according to the pleafure of thofe evil
 " Counfellors, who are ftill in fo much credit about him ; in
 " like manner as the Lord *Digby* had continual recourfe unto,
 " and countenance from, the Queen's Majesty in *Holland* ; by
 " which means he had opportunity ftill to communicate his
 " Traiterous conceptions, and fuggeltions to both their Ma-
 " jelties ; fuch as thofe were concerning his Majesty's retiring
 " to a place of Strength, and Declaring himfelf, and his own
 " advancing his Majesty's Service in fuch a way beyond the
 " Seas, and after that reforting to his Majesty in fuch a place
 " of ftrength ; and divers other things of that nature, contain-
 " ed in his Letter to the Queen's Majesty, and to *Sr Lewis*
 " *Dives* ; a Perfon, that had not the leaft part in this late bufi-
 " nefs of *Hull*, and was prefently difpatched away into *Hol-*
 " *land*, foon after his Majesty's return from *Hull* ; for what
 " Purpofe, they left the world to judge.

" UPON the refusal of *Sr John Hotbam* to admit his Ma-
 " jefty into *Hull*, prefently, without any due procefs of Law,
 " before his Majesty had fent up the narration of his Fact to
 " the Parliament, he was proclaim'd Traytor ; and yet it was
 " faid, that therein was no violation of the Subjects Rights,
 " nor any breach of the Law, nor of the Privilege of Parlia-
 " ment, though *Sr John Hotbam* be a Member of the Houfe
 " of Commons ; and that his Majesty muft have better rea-
 " fon, than bare Votes, to believe the contrary ; although the
 " Votes of the Lords and Commons in Parliament, being the
 " Great Council of the Kingdom, are the reafon of the King,
 " and of the Kingdom : yet thefe Votes, they faid, did not
 " want clear, and apparent reafon for them ; for if the folemn
 " proclaiming him a Traytor fignify any thing, it puts a Man,
 " and all thofe that any way aid, affift, or adhere unto him,
 " in the fame condition of Traytors ; and draws upon him
 " all the confequences of Treafon : And if that might be done
 " by Law, without due procefs of Law, the Subject hath a
 " very poor defence of the Law ; and a very fmall, if any,
 " proportion of Liberty thereby. And it is as little fatisfa-
 " ction to a Man, that fhall be expofed to fuch Penalties, by
 " that Declaration of him to be Traytor, to fay, he fhall

"have a Legal Tryal afterwards, as it is to condemn a Man
 "first, and try him afterwards. And if there could be a ne-
 "cessity for any such proclaiming a Man a Traytor without
 "due process of Law, yet there was none in this case; for
 "his Majesty might as well have expected the judgment of
 "Parliament (which was the right way) as he had leisure
 "to send to them to demand justice against *Sr John Hotham*.
 "And the breach of Privilege of Parliament was as clear in
 "this Case, as the subversion of the Subjects Common right :
 "For, though the Privileges of Parliament, do not extend to
 "those Cases, mention'd in the Declaration, of Treason, Fe-
 "lony, and Breach of Peace, so as to exempt the Members
 "of Parliament from punishment, nor from all manner of
 "Process and Tryal, as it doth in other Cases; yet it doth Pri-
 "vilege them in the Way, and Method of their Tryal and
 "Punishment; and that the Parliament should have the Cause
 "first brought before them, that they may judge of the Fact,
 "and of the grounds of the Accusation; and how far forth the
 "manner of their Tryal may concern, or not concern the Pri-
 "vilege of Parliament. Otherwise it would be in the power,
 "not only of his Majesty, but of every Private man, under
 "pretensions of Treasons, or those other Crimes, to take any
 "Man from his Service in Parliament; and so as many one
 "after another as he pleaseth; and, consequently, to make a
 "Parliament what he will, when he will; which would be a
 "breach of so Essential a Privilege of Parliament, as that the
 "very Being thereof depends upon it. And therefore they
 "no ways doubted but every One, that had taken the Prote-
 "station, would, according to his Solemn Vow, and Oath,
 "defend it with his Life, and Fortune. Neither did the sit-
 "ting of a Parliament suspend all, or any Law, in maintain-
 "ing that Law, which upholds the Privilege of Parliament;
 "which upholds the Parliament; which upholds the King-
 "dom. And they were so far from believing, that his Ma-
 "jesty was the only Person against whom Treason could not
 "be committed, that, in some sense, they acknowledged he
 "was the only Person against whom it Could be committed,
 "that is, as he is King: and that Treason which is against
 "the Kingdom, is more against the King, than that which is
 "against his Person; because he is King: For that very Treas-
 "on is not Treason, as it is against him as a Man, but as
 "a man that is a King; and as he hath relation to the King-
 "dom, and stands as a Person entrusted with the Kingdom,
 "and discharging that Trust.

"Now, they said, the Case was truly stated, and all the
 "world might judge where the Fault was; although they
 "must avow, that there could be no competent Judge of this,

"or

“or any the like Case, but a Parliament. And they were as confident, that his Majesty should never have cause to resort to any other Court, or Course, for the vindication of his just Privileges, and for the recovery and maintenance of his known, and undoubted Rights, if there should be any Invasion, or Violation thereof, than to his high Court of Parliament: And, in case those wicked Counsellors about him, should drive him into any other Course from, and against his Parliament, whatever his Majesty's expressions, and intentions were, they should appeal to all mens Consciences; and desire, that they would lay their hands upon their hearts, and think with themselves, whether such Persons, as had of late, and still did resort unto his Majesty, and had his ear, and favour most, either had been, or were more Zealous Assertors of the true Protestant Profession (although they believed they were more earnest in the Protestant Profession, than in the Protestant Religion) or the Law of the Land, the Liberty of the Subject, and the Privileges of the Parliament, than the Members of both Houses of Parliament; who were insinuated to be the Deserters, if not the Destroyers of them: And whether if they could master this Parliament by force, they would not hold up the same power to deprive us of all Parliaments; which are the Ground, and Pillar of the Subjects Liberty, and that which only maketh *England* a free Monarchy.

“For the Order of Assistance to the Committee of both Houses; as they had no Directions or Instructions, but what had the Laws for their Limits, and the Safety of the Land for their Ends, so they doubted not but all Persons mention'd in that Order, and all his Majesty's good Subjects, would yield obedience to his Majesty's Authority, signified therein by both Houses of Parliament. And that all Men might the better know their duty in matters of that nature, and upon how sure a ground They go, that follow the judgement of Parliament for their Guide, they wished them judiciously to consider the true meaning, and ground of that Statute made in the eleventh Year of King *Hen. VII. ch. 1.* which was printed at large in the end of his Majesty's Message of the fourth of *May*: That Statute provides, that none who shall attend upon the King, and do him true Service, should be attainted, or forfeit any thing. What was the Scope of that Statute? To provide that Men should not suffer as Traytors, for serving the King in his Wars according to the duty of their Allegiance? If this had been all, it had been a very needless, and ridiculous Statute. Was it then intended (as They seem'd to take the meaning of it to be, that caused it to be printed after his Majesty's Mes-

“sage) that They should be free from all Crime and Pen-
 “nalty, that should follow the King, and serve him in War
 “in any case whatsoever ; whether it were for, or against the
 “Kingdom, and the Laws thereof ? That could not be ; for
 “that could not stand with the Duty of their Allegiance ;
 “which, in the beginning of the Statute, was expressed to be
 “to serve the King for the time being in his Wars, for the
 “defence of Him , and the Land ; and therefore if it be a-
 “gainst the Land (as it cannot be understood to be other-
 “wise, if it be against the Parliament, the Representative
 “body of the Kingdom) it is a declining from the duty of
 “Allegiance ; which this Statute supposed may be done,
 “though Men should follow the King’s Person in the War :
 “Otherwise there had been no need of such a Proviso in the
 “end of the Statute, that none should take the benefit there-
 “by, that should decline from their Allegiance. That there-
 “fore which is the principal Verb in this Statute is, The
 “serving of the King for the time being ; which could not
 “be meant of *Perkin Warbeck*, or any that should call himself
 “King ; but such a One, as whatever his Title might prove,
 “either in Himself, or in his Ancestors, should be received,
 “and acknowledged for such by the Kingdom ; the Consent
 “whereof cannot be discern’d but by Parliament ; the Act
 “whereof is the Act of the whole Kingdom, by the Personal
 “Suffrage of the Peers, and the delegate Consent of all the
 “Commons of *England*.

“AND *Henry* the VII. a wise King, considering that what
 “was the case of *Rich. III.* his Predecessor, might, by chance
 “of battle, be his own ; and that he might at once, by such
 “a Statute as this, satisfy such, as had serv’d his Predecessor
 “in his Wars, and also secure those, which should serve Him,
 “who might otherwise fear to serve him in the Wars ; lest,
 “by chance of Battle, that might happen to him also (if a
 “Duke of *York* had set up a Title against him) which had
 “happen’d to his Predecessor, he procured this Statute to be
 “made, That no Man should be accounted a Traytor for serv-
 “ing the King, in his Wars, for the time being, that is,
 “which was for the present allowed, and received by the
 “Parliament in behalf of the Kingdom : And, as it is truly
 “suggested, in the preamble of the Statute, it is not agreeable
 “to reason or Conscience, that it should be otherwise ; see-
 “ing Men should be put upon an Impossibility of knowing
 “their Duty, if the judgement of the highest Court should not
 “be a Rule, and Guide to them. And if the judgement there-
 “of should be followed, where the Question is, who is King ?
 “much more, what is the best Service of the King, and King-
 “dom ? And therefore those, who should guide themselves
 “by

“by the judgement of Parliament ought, whatever happen, to be secure and free from all Account and Penalties, upon the Grounds and Equity of this very Statute.

“THEY said, they would conclude, that although those wicked Counsellors about his Majesty, had presum’d, under his Majesty’s Name, to put that dishonour, and affront upon both Houses of Parliament; and to make Them the countenancers of Treason, enough to have dissolv’d all the bands, and sinews of confidence between his Majesty, and his Parliament (of whom the Maxim of the Law is, that a dishonourable thing ought not to be imagin’d of them) yet they doubted not, but it should, in the end, appear to all the world, that their endeavours had been most hearty and sincere, for the maintenance of the true Protestant Religion; the King’s just Prerogative; the Laws, and Liberties of the Land; and the Privileges of Parliament: in which endeavours, by the Grace of God, they would still persist, though they should perish in the work; which if it should be, it was much to be fear’d, that Religion, Laws, Liberties, and Parliaments, would not be long lived after them.

THIS Declaration wrought more upon the minds of Men, than all that they had done; for the business at *Hull* was, by very many, thought to be done before projected; and the Argument of the Militia to be enter’d upon at first in passion, and afterwards pursued with that vehemence, insensibly, by being engaged, and that both extravagances had so much weighed down the King’s Trespases, in coming to the House and accusing the Members, that a reasonable agreement would have been the sooner consented to on all hands. But when, by this Declaration, they saw Foundations laid, upon which not only what had been already done, would be well justified, but whatsoever they should, hereafter, find convenient to second what was already done; and that not only the King, but the Regal Power was either suppressed, or deposited in other hands; the irregularity, and monstrousness of which Principles found little opposition or resistance, even for the Irregularity, and Monstrousness: Very many thought it as unsafe to be present at those Consultations, as to consent to the Conclusions; and so great Numbers of the Members of both Houses absented themselves; and many, especially of the House of Peers, resorted to his Majesty at *York*. So that, in the Debates of the highest consequence, there was not usually present, in the House of Commons, the fifth part of their just Numbers; and, very often, not above a Dozen or Thirteen, in the House of Peers. In the mean time the King had a full Court, and receiv’d all Comers with great clemency, and grace; calling always all the Peers to Council, and commu-

communicating with them all such Declarations, as he thought fit to publish in Answer to those of the Parliament; and all Messages, and whatever else was necessary to be done for the improvement of his condition: And having now the Great Seal with him, issued such Proclamations, as were seasonable for the preservation of the Peace of the Kingdom. First he publish'd a Declaration in Answer to that of the nineteenth of *May*, in which his Majesty said.

*His Majesty's
Answer to
the Declara-
tion of the
19th of May.*

“THAT if he could be weary of taking any pains for the
“satisfaction of his People, and to undeceive them of those
“specious, mischievous insuflions, which were daily instill’d
“into them to shake, and corrupt their Loyalty, and Affecti-
“on to his Majesty and his Government, after so full, and
“ample Declaration of himself and Intentions, and so fair
“and satisfactory Answers to all such matters as had been ob-
“jected to him, by a Major part present of both Houses of
“Parliament, He might well give over that labour of his
“Pen; and sit still, till it should please God to enlighten the
“affections, and understandings of his good Subjects on his
“behalf (which he doubted not, but that, in His good Time,
“he would do) that they might see His sufferings were
“Their sufferings: but since, instead of applying themselves
“to the method, proposed by his Majesty, of making such so-
“lid particular Propositions, as might establish a good under-
“standing between them, or of following the advice of his
“Council of *Scotland* (with whom they communicated their
“affairs) in forbearing all means that might make the breach
“wider, and the wound deeper; they had chosen to pursue
“his Majesty with new Reproaches, or rather to continue
“and improve the old, by adding, and varying little Circum-
“stances and Language, in matters formerly urged by them,
“and fully Answer’d by his Majesty, He had prevail’d with
“himself, upon very mature and particular consideration of
“it, to Answer the late printed Book entituled a Declaration,
“or Remonstrance of the Lords and Commons, which was
“order’d, the nineteenth of *May* last, to be printed and pub-
“lished; hoping then, that they would put his Majesty to no
“more of that trouble, but that That should have been the
“last of such a Nature they would have communicated to
“his People; and that they would not, as they had done
“since, have thought fit to assault him with a newer Decla-
“ration, indeed of a very New nature, and Learning; which
“should have another Answer: and he doubted not, but that
“his good Subjects would, in short time, be so well instruct-
“ed in the differences, and mistakings between them, that
“they would plainly discern, without resigning their reason
“and understanding to His Prerogative, or the Infallibility
“of

“of a now Major part of both Houses of Parliament (infected by a few Malignant Spirits) where the Fault was.

“His Majesty said, though he should, with all humility and alacrity, be always forward to acknowledge the Infinite Mercy, and Providence of Almighty God, vouchsafed, so many several ways, to Himself and this Nation; yet since God himself doth not allow, that we should fancy, and create dangers to our selves, that we might manifest, and publish his Mercy in our Deliverance; he must profess, that he did not know those Deliverances, mention'd in the beginning of that Declaration, from so many wicked Plots and Designs, since the beginning of this Parliament, which, if they had taken effect, would have brought ruin and destruction upon this Kingdom. His Majesty well knew the great labour and skill, which had been used to amuse, and affright his good Subjects with fears, and apprehensions of Plots and Conspiracies; the several Pamphlets publish'd, and Letters scatter'd up and down, full of such ridiculous contemptible Animadversions to that purpose, as (though they found, for what end God knows, very unusual countenance) no Sober Man would be moved with them. But, he must confess, he had never been able to inform himself of any such pernicious, form'd design against the Peace of the Kingdom, since the beginning of this Parliament, as was mention'd in that Declaration, or which might be any War-rant to those great fears, both Houses of Parliament seem'd to be transported with; but he had great reason to believe, that more mischief and danger had been rais'd and begotten, to the disturbance of the Kingdom, than cured and prevented, by those Fears, and Jealousies. And therefore, however the rumour, and discourse of Plots and Conspiracies, might have been necessary to the designs of particular Men, they should do well not to pay any false Devotions to Almighty God, who discerns whether our dangers are real, or pretended.

“FOR the bringing up of the Army to *London*, as his Majesty had heretofore, by no other direction than the testimony of a good Conscience, call'd God to witness that he never had, or knew of, any such Resolution; so he said, upon the view of the Depositions now publish'd with that Declaration, it was not evident to his Majesty, that there was ever such a Design; unless every loose Discourse, or Argument, be evidence enough of a Design: And it was apparent, that what had been said of it, was near three Months before the discovery to both Houses of Parliament; so that if there were any danger threaten'd that way,

"it vanished without any resistance or prevention by the
"Wisdom, Power, or Authority of them.

"It seem'd the intention of that Declaration, whatsoever
"other end it had, was to Answer a Declaration, they had
"receiv'd from his Majesty, in Answer to that which was
"presented to his Majesty at *New-Market*, the ninth of *March*
"last; and likewise his Answer to the Petition of both
"Houses, presented to him at *York*, the 26th of *March*: But,
"before it fell upon any particular of his Majesty's Declara-
"tion or Answer, it complain'd that the Heads of the Ma-
"lignant Party had, with much Art and Industry, advis'd him
"to suffer divers unjust Scandals, and Imputations upon the
"Parliament, to be published in His Name, whereby they
"might make it odious to the People, and, by their help,
"destroy it: but not instancing in any one Scandal, or Im-
"putation, so published by his Majesty, he was, he said, still
"to seek for the Heads of that Malignant-Party. But his good
"Subjects would easily understand, that if he were guilty of
"that Aspersi^on, he must not only be active in raising the
"Scandal, but passive in the mischief begotten by that Scan-
"dal, his Majesty being an Essential part of the Parliament;
"and he hoped the just defence of Himself and his Autho-
"rity, and the necessary vindication of his Innocence and
"Justice, from the Imputations laid on him, by a Major part
"then present of either or both Houses, should no more be
"call'd a Scandal upon the Parliament, than the opinion of
"such a part be reputed an Act of Parliament: And he hoped
"his good Subjects would not be long misled, by that com-
"mon expression in all the Declarations, wherein they usurp
"the word Parliament, and apply it to countenance any Re-
"solution or Vote some few had a mind to make, by call-
"ing it the Resolution of Parliament; which could never be
"without his Majesty's Consent; neither could the Vote of
"either or both Houses make a greater alteration in the Laws
"of the Kingdom (so solemnly made by the Advice of their
"Predecessors, with the Concurrence of his Majesty and his
"Ancestors) either by Commanding, or Inhibiting any thing
"(besides the known rule of the Law) than his single Dire-
"ction or Mandate could do, to which he did not ascribe that
"Authority.

"But that Declaration inform'd the People, that the Ma-
"lignant Party had drawn his Majesty into the Northern
"parts, far from his Parliament. It might, his Majesty said,
"more truly and properly have said, that it had Driven, than
"Drawn him thither; for, he confessed, his Journey thither
"(for which he had no other reason to be sorry, than with
"reference to the Cause of it) was only forced upon him, by
"the

" the true Malignant Party ; which contriv'd and countenanced
 " those barbarous Tumults, and other Seditious Circum-
 " stances, of which he had so often complain'd, and hereafter
 " should say more ; and which indeed threaten'd so much dan-
 " ger to his Person, and laid so much Scandal upon the Pri-
 " vilege, and Dignity of Parliament, that he wonder'd it
 " could be mention'd without blushes or indignation : But of
 " that, anon : But why the Malignant Party should be charged
 " with the causing a Press to be transported to *Tork*, his Ma-
 " jesty said, he could not imagine ; neither had any Papers or
 " Writings issued from thence, to His knowledge, but what
 " had been extorted from him by such Provocations, as had
 " not been before offer'd to a King. And, no doubt, it would
 " appear a most trivial, and fond Exception, when all Presses
 " were open to vent whatsoever they thought fit to say to the
 " People (a thing unwarranted by former custom) that his
 " Majesty should not make use of all lawful means, to publish
 " his just, and necessary Answers thereunto. As for the Au-
 " thority of the Great Seal (though he did not know that it
 " had been necessary to things of that nature) the same should
 " be more frequently used hereafter, as occasion should re-
 " quire ; to which he made no doubt, but the greater, and
 " better part of his Privy Council would Concur ; and whose
 " Advice he was resolv'd to follow, as far as it should be agree-
 " able to the Good, and Welfare of the Kingdom.

" BEFORE that Declaration vouchsafed to insist upon any
 " particulars, it was pleased to censure both his Majesty's De-
 " claration and Answer to be fill'd with harsh Censures, and
 " causeless Charges upon the Parliament (still misapplying the
 " word Parliament to the Vote of both Houses) concerning
 " which they resolve to give satisfaction to the Kingdom, since
 " they found it very difficult to satisfy his Majesty. If, as in
 " the usage of the word Parliament, they had left his Majesty
 " out of their thoughts ; so by the word Kingdom, they in-
 " tended to exclude all his People who were not within their
 " Walls (for that was grown another Phrase of the time, the
 " Vote of the Major part of both Houses, and sometimes of
 " one, was now call'd the Resolution of the whole Kingdom)
 " his Majesty believ'd, it might not be hard to give satisf-
 " faction to themselves ; otherwise he was confident (and, he
 " said, his confidence proceeded from the uprightness of his
 " own Conscience) they would never be able so to sever the
 " Affections of his Majesty and his Kingdom, that what could
 " not be satisfaction to the One, should be to the Other :
 " Neither would the style of Humble, and Faithful, and tell-
 " ing His Majesty, that they will make him a Great and Glo-
 " rious King, in their Petitions and Remonstrances, so deceive

"his good Subjects, that they would pass over the Reproaches,
 "Threats, and Menaces they were stufled with; which surely
 "ly could not be more gently reprehended by his Majesty,
 "than by saying, their Expressions were different from the
 "usual Language to Princes; which that Declaration told
 "him, he had no occasion to say: But he believ'd, whosoever
 "looked over that Declaration, presented to him at *New-*
 "*Market*, to which his was an Answer, would find the Lan-
 "guage throughout it to be so unusual, that, before this Par-
 "liament, it could never be parallel'd; whilst, under pretence
 "of justifying their Fears, they gave so much countenance to
 "the discourse of the Rebels of *Ireland*, as if they had a mind
 "his good Subjects should give credit to it: Otherwise, being
 "warranted by the same evidence, which they have since pub-
 "lished, they would have as well declar'd, That those Re-
 "bels publickly threaten the rooting out the Name of the
 "*English*, and that they will have a King of their own, and
 "no longer be govern'd by his Majesty, as that they say,
 "That they do nothing, but by his Majesty's Authority; and
 "that they call themselves the *Queen's Army*. And therefore
 "he had great reason to complain of the absence of Justice
 "and Integrity in that Declaration; besides the unsuitness of
 "other Expressions.

"NEITHER did his Majesty mistake the Substance, or
 "Logick of their Message to him, at *Threebalds*, concerning
 "the Militia; which was no other, and was stated to be no
 "other, even by that Declaration that reproved him, than a
 "plain Threat, That if his Majesty refused to joyn with them
 "they would make a Law without him: Nor had the Pra-
 "ctice since that time been other; which would never be ju-
 "stified to the most ordinary if not partial understandings, by
 "the meer averring it to be according to the Fundamental
 "Laws of this Kingdom, without giving any directions, that
 "the most Cunning and Learned Men in the Laws, might be
 "able to find those Foundations. And he would appeal unto
 "all the World, whether they might not, with as much Ju-
 "stice, and by as much Law, have seized upon the Estate of
 "every Member of both Houses, who dissented from that
 "pretended Ordinance (which much the Major part of the
 "House of Peers did, two or three several times) as they
 "had invaded that Power of His over the Militia, because he,
 "upon reasons they had not so much as pretended to Answer,
 "refused to Consent to that Proposition.

"AND if no better Effects, than loss of Time, and hinder-
 "ance of the Publick Affairs, had been found by his Answers
 "and Replies, all Good Men might judge by whose Default,
 "and whose want of Duty, such Effects had been; for as his
 "End

“End, indeed his only End, in those Answers and Replies, “had been the settlement and composure of Publick Affairs; “so, he was assured, and most Men did believe, that if that “due regard and reverence had been given to his words, and “that consent and obedience to his Counsels, which he expected, there had been, before that time, a chearful calm “upon the face of the whole Kingdom; every Man enjoying “his own, with all possible Peace and Security that can be “imagin’d; which surely those Men did not desire, who (after all those Acts of Justice, and Favour pass’d by him, this “Parliament; all those Sufferings, and Affronts, endured and “undergone by him) thought fit still to reproach him with “Ship-money, Coat and Conduct-money, and other things “so abundantly declar’d, as that Declaration it self confessed, “in the general Remonstrance of the State of the Kingdom, “published in *November* last; which his Majesty wonder’d to “find now avow’d to be the Remonstrance of both Houses; “and which, he was sure, was presented to him only by the “House of Commons; and did never, and, he was confident, “in that time could never have pass’d the House of Peers; “the Concurrence, and Authority of which, was not then “thought necessary. Should his Majesty believe those Reproaches to be the Voice of the Kingdom of *England*, That “all his loving Subjects eas’d, refresh’d, strengthen’d, and “abundantly satisfi’d with his Acts of Grace and Favour towards them, were willing to be involved in those unthankful Expressions? He would appeal to the Thanks, and Acknowledgements published in the Petitions of most of the “Counties of *England*; to the Testimony, and Thanks, he “had received from both Houses of Parliament; how reasonable, how agreeable that usage was to his Majesty’s Merit, or their former Expressions.

“His Majesty said, he had not at all swerv’d, or departed from his Resolutions, or Words, in the beginning of this “Parliament: He had said, he was resolv’d to put himself “freely, and clearly upon the Love and Affection of his *English* Subjects; and he said so still, as far as concerns *England*. “And he call’d Almighty God to witness, all his Complaints “and Jealousies, which had never been causeless, nor of his “Houses of Parliament (but of some few Schismatical, Factious, and Ambitious Spirits; and upon grounds, as he fear’d, “a short time would justify to the World) his Denial of the “Militia, his absenting himself from *London*, had been the “effects of an upright, and faithful Affection to his *English* Subjects; that he might be able, through all the inconveniences he might be compell’d to wrestle with, at last to preserve, and restore their Religion, Laws, and Liberties unto them.

“SINCE

"SINCE the Proceeding against the Lord *Kimbleton*, and
 "the five Members, was still looked upon, and so often pre-
 "fessed, as so great an advantage against his Majesty, that no
 "Retraction made by him, nor no Action, since that time
 "committed against Him, and the Law of the Land, under
 "the pretence of Vindication of Privilege, could satisfy the
 "Contrivers of that Declaration, but that they would have
 "his good Subjects to believe, the Accusation of those six
 "Members must be a Plot for the breaking the Neck of the
 "Parliament (a strange Arrogance if any of those Members
 "had the Penning of that Declaration) and that it was so
 "often urged against him, as if by that single, casual Mi-
 "stake of his, in form only, he had forfeited all Duty, Cre-
 "dit, and Allegiance from his People, he said, he would,
 "without endeavouring to excuse that, which in truth was an
 "Error (his going to the House of Commons) give his Peo-
 "ple, a full, and clear Narration of the matter of Fact; af-
 "firming himself, that his good Subjects would not find his
 "carriage in that business, such as had been reported.

"His Majesty said, that when he resolv'd, upon such
 "grounds, as, when they should be published, would satisfy
 "the World, that it was fit for his own Safety, and Honour,
 "and the Peace of the Kingdom, to proceed against those
 "Persons; though he well knew, there was no degree of
 "Privilege in that Case; yet to shew his desire of Correspon-
 "dence with the two Houses of Parliament, he chose rather
 "than to apprehend their Persons by the ordinary Ministers
 "of Justice (which, according to the opinion, and practice
 "of former times, he might have done) to Command his
 "Attorney General, to acquaint his House of Peers with his
 "intention, and the general matters of his Charge (which
 "was yet more particular, than a meer Accusation) and to
 "proceed accordingly; and at the same time sent a sworn
 "Servant, a Serjeant at Armes, to the House of Commons,
 "to acquaint them, that his Majesty did accuse, and intended
 "to prosecute the five Members of that House for High
 "Treason; and did require, that their Persons might be se-
 "cured in Custody. This he did, not only to shew that he
 "intended not to Violate, or Invade their Privileges, but to
 "use more Ceremony towards them, than he then conceived
 "in justice might be required of him; and expected at least
 "such an Answer, as might inform him, if he were out of
 "the way; but he received none at all; only, in the instant,
 "without offering any thing of their Privileges to his Consi-
 "deration, an Order was made, and the same Night publi-
 "shed in Print, That if any Person whatsoever, should offer to
 "Arrest the Person of any Member of that House, without

“first acquainting that House therewith, and receiving further
 “Order from that House, that it should be Lawful for such
 “Member, or any Person, to resist them, and to stand upon
 “his, or their Guard of Defence; and to make resistance,
 “according to the Protestation taken to defend the Privilege
 “of Parliament: And this was the first time that he heard
 “the Protestation might be wrested to such a sense, or that in
 “any Case, though of the most undoubted and unquestion-
 “able Privilege, it might be Lawful for any Person to resist,
 “and use violence against a Publick Minister of Justice, arm’d
 “with Lawful Authority; though his Majesty well knew,
 “that even such a Minister might be punished for executing
 “such Authority.

“UPON viewing that Order, his Majesty confessed, he
 “was somewhat amaz’d, having never seen, or heard of the
 “like; though he had known Members of either House com-
 “mitted, without so much formality as he had used, and
 “upon Crimes of a far inferiour nature to those he had sug-
 “gested; and having no course propos’d him for his Pro-
 “ceeding, he was, upon the matter, only told, that against
 “those Persons he was not to proceed at all; that they were
 “above His reach, or the reach of the Law. It was not easy
 “for him to resolve what to do: If he imploy’d his Ministers
 “of Justice in the usual way for their apprehension, who
 “without doubt would not have refused to have executed
 “his Lawful Commands, he saw what opposition, and re-
 “sistance, was like to be made; which, very probably, might
 “have cost some Blood: If he sate still, and desisted upon
 “that Terrour, he should, at the best, have confessed his
 “own want of Power, and the weakness of the Law. In that
 “streight, he put on a suddain Resolution, to try whether his
 “own Presence, and clear discovery of his Intention, which
 “happily might not have been so well understood, could re-
 “move those Doubts, and prevent those Inconveniences,
 “which seem’d to have been threaten’d; and thereupon, he
 “Resolv’d to go, in his own Person, to the House of Com-
 “mons; which he discover’d not, till the very minute of his
 “going; when he sent out Orders, that his Servants, and
 “such Gentlemen as were then in his Court, should attend
 “him to *Westminster*; but giving them express Command, as
 “he had express’d in his Answer to the Ordinance, that no
 “Accidents, or Provocation, should draw them to any such
 “Action, as might imply a purpose of Force in his Majesty;
 “and Himself, requiring those of his Train not to come
 “within the Door, went into the House of Commons; the
 “bare doing of which, he did not then conceive, would have
 “been thought more a breach of Privilege, than if he had
 “gone

"gone to the House of Peers, and sent for them to come to him; which was the usual Custom.

"HE used the best Expressions he could, to assure them how far he was from any intention of violating their Privileges; that he intended to proceed legally, and speedily against the Persons he had accused; and desired therefore, if they were in the House, that they might be deliver'd to him; or if absent, that such course might be taken for their forth coming, as might satisfy his just Demands; and so he departed, having no other purpose of Force, if they had been in the House, than he had before protested, before God, in his Answer to the Ordinance. They had an account now of his part of that story fully; his People might judge freely of it. What follow'd on their part (though that Declaration said, it could not withdraw any part of their Reverence and Obedience from his Majesty; it might be any part of theirs it did not) he should have too much cause hereafter to inform the World.

"HIS Majesty said, there would be no end of this discourse, and of upbraiding him with evil Counsellors, if, upon his constant denial of knowing any, they would not vouchsafe to inform him of them; and after eight Months amusing the Kingdom with the expectation of the discovery of a Malignant Party, and of evil Counsellors, they would not at last name any, nor describe them. Let the Actions or Lives of Men be examin'd, who had Contriv'd, Counsell'd, actually consented to Grieve, and Burthen his People; and if such were now about his Majesty, or any against whom any notorious, malicious Crime could be proved, if he shelter'd and protected any such, let his Injustice be published to the World: but till that were done particularly and manifestly (for he should never conclude any Man upon a bare, general Vote of the Major part of either, or both Houses, till it were evident, that That Major part was without Passion or Affection) he must look upon the charge that Declaration put upon him, of cherishing and countenancing a Discontented Party of the Kingdom against them, as a heavier and unjust Tax upon his Justice and Honour, than any He had, or could lay, upon the Framers of that Declaration. And now, to countenance those unhandſome Expressions, whereby they usually had implied his Majesty's Connivance at, or want of Zeal against, the Rebellion of *Ireland* (so odious to all Good Men) they had found a new way of exprobration: That the Proclamation against those bloody Traytors came not out, till the beginning of *January*, though that Rebellion broke out in *October*, and then, by special Command from his

"Majesty,

"Majesty, but forty Copies were appointed to be Printed. His Majesty said, it was well known where he was at that time, when that Rebellion broke forth ; in *Scotland*: That He immediately, from thence, recommended the Care of that Business to both Houses of Parliament here, after he had provided for all fitting Supplies from his Kingdom of *Scotland*: That after his return hither, he observ'd all those Forms for that Service, which he was advis'd to by his Council of *Ireland*, or both Houses of Parliament here, and if no Proclamation issued out sooner (of which, for the present, he was not certain ; but thought that others, by his directions, were issued before that time) it was, because the Lords Justices of the Kingdom desired them no sooner ; and when they did, the Number they desired was but Twenty ; which they advis'd might be sign'd by his Majesty ; which he, for expedition of the Service, commanded to be Printed ; a Circumstance not required by them ; thereupon he sign'd more of them, than his Justices desired ; all which was very well known to some Members of one, or both Houses of Parliament ; who had the more to Answer, if they forbore to express it at the passing of that Declaration ; and if they did express it, he had the greater reason to complain, that so envious an Aspersion should be cast on his Majesty to his People, when they knew well how to Answer their own Objection.

"WHAT that Complaint was against the Parliament, put forth in His Name, which was such an Evidence and Countenance to the Rebels, and spoke the same Language of the Parliament which the Rebels did ; he said he could not understand. All his Answers and Declarations had been, and were, own'd by himself ; and had been attested under his own hand ; if any other had been published in his Name, and without his Authority, it would be easy for both Houses of Parliament to discover, and apprehend the Authors : And he wished, that whosoever was trusted with the Drawing, and Penning that Declaration, had no more Authority, or Cunning to impose upon, or deceive a Major part of those Votes, by which it passed, than any Man had to prevail with his Majesty to publish in his Name any thing, but the sense, and Resolution of his own Heart ; or that the Contriver of that Declaration could, with as good a Conscience, call God to witness, that all his Counsels and Endeavours had been free from all private Aimes, personal Respects or Passions whatsoever, as his Majesty had done, and did, That he never had, or knew of any such Resolution of bringing up the Army to *London*.

"AND since that new Device was found out, instead of
"An-

" Answering his reasons, or satisfying his just demands, to blast
 " his Declarations and Answers, as if they were not his own;
 " a bold, senseless Imputation: He said he was sure, that every
 " Answer, and Declaration, published by his Majesty, was
 " much more his own, than any one of those bold, threatening,
 " and reproachful Petitions, and Remonstrances, were the
 " Acts of either, or both Houses. And if the Penner of that
 " Declaration had been careful of the Trust reposed in him,
 " he would never have denied (and thereupon found fault
 " with his Majesty's just indignation) in the Text or Margin,
 " that his Majesty had never been charged with the Intention
 " of any Force; and that in their whole Declaration, there
 " was no one word tending to any such reproach; the con-
 " trary whereof was so evident, that his Majesty was, in ex-
 " press terms, charged in that Declaration, that he had sent
 " them gracious Messages, when, with his Privy, bringing
 " up the Army was in agitation; and, even in that Declara-
 " tion, they sought to make the People believe some such
 " thing to be proved, in the Depositions therewith published;
 " wherein, his Majesty doubted not, they would as much fail,
 " as they did in their Censure of that Petition, shew'd for-
 " merly to his Majesty by Captain *Leg*, and subscribed by him
 " C. R. which, notwithstanding his Majesty's full, and parti-
 " cular Narration of the substance of that Petition, the cir-
 " cumstances of seeing and approving it, that Declaration was
 " pleased to say, was full of Scandal to the Parliament, and
 " might have proved dangerous to the whole Kingdom. If
 " they had that dangerous Petition in their hands, his Majesty
 " said, he had no reason to believe any tenderness towards
 " Him had kept them from communicating it; if they had it
 " not, his Majesty ought to have been believed: But that all
 " good People might compute their other pretended dangers
 " by their clear understanding of that, the noise whereof had
 " not been inferiour to any of the rest, his Majesty said, he
 " had recover'd a true Copy of the very Petition he had sign'd
 " with C. R. which should, in fit time, be published; and
 " which, he hoped, would open the eyes of his good People.

" CONCERNING his Warrant for Mr *Jermyn's* Passage,
 " his Answer was true, and full; but for his black Sattin Suit,
 " and white Boots, he could give no Account.

" His Majesty had complain'd in his Declaration, and, as
 " often as he should have occasion to mention his return, and
 " residence near *London*, he should complain, of the barbarous
 " and seditious Tumults at *White-Hall*, and *Westminster*; which
 " indeed had been so full of Scandal to his Government, and
 " danger to his Person, that he should never think of his re-
 " turn thither, till he had Justice for what was past, and Se-

curry

"curity for the time to come : And if there were so great a
 "necessity, or desire of his return, as was pretended, in all
 "this time, upon so often pressing his desires, and upon causes
 "so notorious, he should at least have procured some Order
 "for the future. But that Declaration told his Majesty he was,
 "upon the matter mistaken ; the resort of the Citizens to
 "*Westminster* was as lawful, as the resort of great Numbers
 "every day in the Term to the Ordinary Courts of Justice ;
 "They knew no Tumults. Strange ! was the disorderly ap-
 "pearance of so many thousand People, with Staves and
 "Swords, crying through the Streets, *Westminster-Hall*, the
 "Passage between both Houses (inasmuch as the Members
 "could hardly pass to and fro) *No Bishops, down with the*
 "*Bishops*, No Tumults ? What Member was there of either
 "House, that saw not those Numbers, and heard not those
 "Cries ? And yet lawful Assemblies ! Were not several Mem-
 "bers of either House, assaulted, threaten'd, and evilly en-
 "treated ? And yet no Tumults ! Why made the House of
 "Peers a Declaration, and sent it down to the House of Com-
 "mons for the suppressing of Tumults, if there were no Tu-
 "mults ? And if there were any, why was not such a Decla-
 "ration consented to, and published ? When the Attempts
 "were so visible, and threats so loud to pull down the Abby
 "at *Westminster*, had not his Majesty just cause to apprehend,
 "that such People might continue their work to *White-Hall* ?
 "Yet no Tumults ? What a strange time are We in, that
 "a few impudent, malicious (to give them no worse term)
 "Men, should cast such a Mist of error before the eyes of
 "both Houses of Parliament, as that they either could not, or
 "would not, see how manifestly they injured themselves, by
 "maintaining those visible untruths. His Majesty said, he
 "would say no more : by the help of God and the Law, he
 "would have Justice for those Tumults.

"FROM excepting, how weightily every Man might judge,
 "to what his Majesty had said, that Declaration proceeded to
 "censure him for what he had not said ; for the prudent
 "Omissions in his Answers : His Majesty had forbore to say
 "any thing of the words spoken at *Kensington* ; or the Arti-
 "cles against his dearest Consort, and the Accusation of the
 "six Members : Of the last, his Majesty said, he had spoken
 "often ; and he thought, enough of the other two ; but hav-
 "ing never accused any (though God knew what truth there
 "might be in either) he had no reason to give any particular
 "Answer.

"HE said, he did not reckon himself bereav'd of any part
 "of his Prerogative ; which he was pleased freely, for a time,
 "to part with by Bill ; yet he must say, he expressed a great
 "Trust

“Trust in his two Houses of Parliament, when he divested himself of the power of dissolving this Parliament; which was a just, necessary, and proper Prerogative. But he was glad to hear their resolution, that it should not encourage them to do any thing which otherwise had not been fit to have been done : If it did, it would be such a breach of Trust, as God would require an Account for at their hands.

“FOR the Militia, he had said so much of it before, and the Point was so well understood by all Men, that he would waste time no more in that Dispute. He never had said, there was no such thing as an Ordinance, though he knew that they had been long disused, but that there was never any Ordinance, or could be any, without the King’s consent ; and that was true : And the unnecessary Precedent, cited in that Declaration, did not offer to prove the contrary. But enough of that ; God and the Law must determine that business.

“NEITHER had that Declaration, given his Majesty any satisfaction concerning the Votes of the fifteenth and sixteenth of *March* last ; which he must declare, and appeal to all the world in the Point, to be the greatest violation of his Majesty’s Privilege, the Law of the Land, the Liberty of the Subject, and the Right of Parliament, that could be imagin’d. One of those Votes was, and there would need no other to destroy the King and People, That when the Lords and Commons (it is well the Commons are admitted to their part in Judicature) shall declare what the Law of the Land is, the same must be assented to and obey’d ; that is the sense in few words. Where is every Man’s Property ; every Mans Liberty ? If the Major part of both Houses declare, that the Law is that the younger Brother shall inherit ; what is become of all the Families, and Estates in the Kingdom ? If they declare, that by the Fundamental Laws of the Land, such a rash Action, such an unadvised Word, ought to be punish’d by perpetual Imprisonment, is not the Liberty of the Subject, *durante beneplacito*, remedium. That Declaration confesses, they pretend not to a power of making new Laws ; that without his Majesty, they could not do That : They needed no such power, if their Declaration could suspend this Statute from being obey’d, or executed. If they had power to declare the Lord *Digby*’s waiting upon his Majesty, at *Hampton-Court*, and thence visiting some Officers at *Kingston*, with a Coach and six Horses, to be levying of War, and High Treason ; and *John Hotbam*’s defying his Majesty to his face, keeping his Majesty’s Town, Fort, and Goods against him, by force of Armes, to be an Act of Affection, and Loyalty ; What needed

"needed a power of making new Laws? Or would there be
 "such a thing as Law left?

"He desired his good Subjects to mark the reason, and
 "consequence of those Votes; the progress they had already
 "made, and how infinite the progress might be. First, they
 "Voted the Kingdom was in imminent danger (it was now
 "above three Months since they discern'd it) from Enemies
 "abroad, and from a Popish, and disaffected party at home;
 "that is matter of Fact; the Law follows: This Vote had
 "given them Authority by Law, the Fundamental Laws of
 "the Kingdom, to order and dispose of the Militia of the
 "Kingdom; and, with this Power, and to prevent that dan-
 "ger, to enter into his Majesty's Towns, seize upon his Ma-
 "gazine, and, by Force, keep both from him. Was not that
 "his Majesty's Case? First, they Vote he had an Intention
 "to levy War against his Parliament; that is matter of Fact;
 "Then they declare such as shall assist him, to be guilty of
 "High Treason; that is the Law, and proved by two Sta-
 "tutes Themselves knew to be repealed. No matter for that,
 "They declare it. Upon this ground they exercise the Mi-
 "litia; and so actually do that upon his Majesty, which they
 "had Voted He intended to do upon Them. Who could not
 "see the confusion, that must follow upon such Power of
 "Declaring? If they should now Vote that his Majesty did
 "not write this Declaration, but that such a One did it, which
 "was still matter of Fact; and then Declare, that, for so do-
 "ing, he was an Enemy to the Common-wealth; what was
 "become of the Law that man was born to? And if all their
 "Zeal for the defence of the Law, were but to defend that
 "which They Declared to be Law, their own Votes; it
 "would not be in their power to satisfy any Man of their
 "good Intentions to the publick Peace, but such who were
 "willing to relinquish their Title to *Magna Charta*, and hold
 "their Lives, and Fortunes, by a Vote of the Major part of
 "both Houses. In a word, his Majesty denied not, but they
 "might have power to declare in a particular, doubtful Case,
 "regularly brought before them, what Law is: But to make
 "a general Declaration, whereby the known rule of the Law
 "might be crossed, or alter'd, they had no power; nor could
 "exercise any, without bringing the Life and Liberty of the
 "Subject to a Lawless, and Arbitrary Subjection.

"His Majesty had complain'd (and the world might
 "Judge of the Justice, and Necessity of that complaint) of the
 "multitude of seditious Pamphlets, and Sermons; and that
 "Declaration told him, they knew he had ways enough in
 "his ordinary Courts of Justice to punish those; so his Ma-
 "jesty said, he had to punish Tumults and Riots; and yet
 "Vol. I. Part 2. Q. 9. "they

"they would not serve his turn to keep his Towns, his For-
 "ests, and Parks from violence. And it might be, though
 "those Courts had still the Power to punish, they might have
 "lost the skill to define, what Tumults and Riots are; other-
 "wise a Jury in *Southwark*, legally impannell'd to examine a
 "Riot there, would not have been superfluous, and the Sheriff
 "enjoin'd not to proceed, by virtue of an Order of the House
 "of Commons; which, it seem'd, at that time had the sole
 "power of Declaring. But it was no wonder that they who
 "could not see the Tumult, did not consider the Pamphlets
 "and Sermons; though the Author of the *Protestations Pro-*
 "*tested*, were well known to be *Barton* (that infamous distur-
 "ber of the Peace of the Church and State) and that he
 "Preached it at *Westminster*, in the hearing of divers Members
 "of the House of Commons. But of such Pamphlets and sedi-
 "tious Preachers (divers whereof had been recommended, if
 "not imposed upon several Parishes, by some Members of
 "both Houses, by what Authority his Majesty knew not) he
 "would hereafter take a further Account.

"His Majesty said, he confessed he had little skill in the
 "Laws; and those that had had most, he found now were much
 "to seek: Yet he could not understand or believe, that every
 "ordinary Court, or any Court, had power to raise what
 "Guard they pleased, and under what Command they pleas-
 "ed. Neither could he imagine, what dangerous Effects they
 "found by the Guard he appointed them; or indeed any the
 "least occasion, why they needed any Guard at all.

"But of all the Imputations, so causelessly and unjustly laid
 "upon his Majesty by that Declaration, he said, he must
 "wonder at that Charge so apparently, and evidently Un-
 "true; That such were continually prefer'd and countenan-
 "ced by him, who were friends or favourers or related unto
 "the chief Authors, and Actors of that Arbitrary Power here-
 "tofore practiced, and complain'd of: And on the other side,
 "that such as did appear against it, were daily discountenan-
 "ced, and disgraced. He said, he would know One Person
 "that contributed to the ills of those times, or had depen-
 "dence upon those that did, whom he did, or lately had
 "countenanced, or prefer'd; nay he was confident (and he
 "looked for no other at their hands) as they had been always
 "most Eminent Asserters of the publick Liberties; so if they
 "found his Majesty inclined to any thing not agreeable to
 "Honour and Justice, they would leave him to morrow. Whe-
 "ther different Persons had not, and did not receive counte-
 "nance elsewhere, and upon what grounds, all men might
 "judge; and whether his Majesty had not been forward
 "enough to honour and prefer those of the most contrary opi-
 "nion,

" nion, how little comfort soever he had of those Preferments;
 " in bestowing of which, hereafter, he would be more guid-
 " ed by Men's Actions, than Opinions. And therefore he
 " had good cause to bestow that admonition (for his Majesty
 " assur'd them, it was an admonition of his Own), upon both
 " his Houses of Parliament, to take heed of inclining, under
 " the specious shews of Necessity and Danger, to the exercise
 " of such an Arbitrary Power, they before complain'd of: the
 " Advice would do no harm, and he should be glad to see it
 " follow'd.

" His Majesty asked, if all the specious Promises, and loud
 " Professions, of making him a great and glorious King; of ser-
 " v'ing a greater Revenue upon his Majesty, than any of his An-
 " cestors had enjoy'd; of making him to be honour'd at home,
 " and fear'd abroad; were resolv'd into this, That they would
 " be ready to settle his Revenue in an Honourable propor-
 " tion, when he should put himself in such a posture of Go-
 " vernment, that his Subjects might be secure to enjoy his
 " just Protection for their Religion, Laws, and Liberties?
 " What posture of Government they intended, he knew not;
 " nor could he imagine what security his good Subjects could
 " desire for their Religion, Laws, and Liberties, which he
 " had not offer'd or fully given. And was it suitable to the
 " Duty, and Dignity of both Houses of Parliament, to An-
 " swer his particular, weighty Expressions of the causes of his
 " remove from *London*, so generally known to the King-
 " dom, with a Scoff; That they hoped he was driven from
 " thence, not by his own fears, but by the tears of the Lord
 " Digby, and his retinue of Cavaliers? Sure, his Majesty said,
 " the Penner of that Declaration, inserted that ungrave and
 " insolent Expression, as he had done divers others, without
 " the consent, or examination of both Houses; who would
 " not so lightly have departed from their former professions
 " of Duty to his Majesty.

" WHETHER the way to a good understanding between
 " his Majesty, and his People, had been as zealously press'd
 " by Them, as it had been profess'd, and desired by Him,
 " would be easily discern'd by them who observed that He
 " had left no publick Act undone on His part, which, in the
 " least degree, might be necessary to the peace, plenty, and
 " security of his Subjects: And that They had not dispatch'd
 " one Act, which had given the least evidence of their parti-
 " cular affection, and kindness to his Majesty; but on the con-
 " trary, had discountenanced and hinder'd the Testimony other
 " Men would give to him of their affections. Witness the
 " stopping, and keeping back the Bill of Subsidies, granted by
 " the Clergy almost a year since; which, though his Personal,

"wants were so notoriously known, they would not, to that
 "time, pass, so not only forbearing to supply his Majesty
 "themselves, but keeping the love and bounty of other Men
 "from him; and affording no other Answer to all his de-
 "sires, all his reasons (indeed not to be Answer'd) than that
 "he must not make his understanding, or reason, the Rule
 "of his Government; but suffer himself to be assisted (which
 "his Majesty never denied) by his Great Council. He said,
 "he required no other Liberty to his Will, than the meanest
 "of Them did (he wished they would always use that Li-
 "berty) not to consent to any thing evidently contrary to
 "his conscience, and understanding : And he had, and should
 "always give as much estimation, and regard to the Advice,
 "and Counsel of both Houses of Parliament, as ever Prince
 "had done : But he should never, and he hoped his People
 "would never, account the Contrivance of a few Factious, Se-
 "ditionary Persons, a Malignant Party, who would sacrifice the
 "Common-wealth to their own fury and ambition, the Wis-
 "dom of Parliament ; and that the justifying, and defending
 "of such Persons (of whom, and of their particular, sinister
 "ways, to compass their own bad ends, his Majesty would
 "shortly inform the world) was not the way to preserve
 "Parliaments, but was the opposing, and preferring a few
 "unworthy Persons, before their Duty to their King, or their
 "Care of the Kingdom. They would have his Majesty re-
 "member, that His Resolutions did concern Kingdoms, and
 "therefore not to be molded by his own understanding : He
 "said, he did well remember it; but he would have Them
 "remember, that when their Consultations endeavour'd to
 "lessen the Office, and Dignity of a King, they meddled with
 "that which is not within their determination, and of which
 "his Majesty must give an account to God, and his other
 "Kingdoms, and must maintain with the Sacrifice of his Life.

"LASTLY, that Declaration told the People of a present,
 "desperate, and malicious Plot the Malignant Party was then
 "acting, under the plausible notions of stirring Men up to a care
 "of preserving the King's Prerogative; maintaining the di-
 "scipline of the Church, upholding and continuing the re-
 "verence, and solemnity of God's Service; and encouraging
 "Learning (indeed plausible, and Honourable notions to act
 "any thing upon) and that upon those grounds divers mu-
 "tinous Petitions had been framed in *London, Kent*, and other
 "places : His Majesty asked upon what grounds these Men
 "would have Petitions framed ? Had so many Petitions, even
 "against the form, and constitution of the Kingdom and the
 "Law establish'd, been joyfully receiv'd, and accepted ? And
 "should Petitions framed upon those grounds be call'd Mu-
 "tinous ?

“tinous? Had a multitude of mean, unknown, inconsiderable, contemptible Persons, about the City, and Suburbs of *London*, had liberty to Petition against the Government of the Church; against the Book of Common-Prayer; against the Freedom, and Privilege of Parliament; and been thanked for it: and should it be call'd Mutiny, in the greatest and best Citizens of *London*, and the Gentry and Commonalty of *Kent*, to frame Petitions upon those grounds; and to desire to be govern'd by the known Laws of the Land, not by Orders and Votes of either, or both Houses? Could this be thought the Wisdom, and Justice of both Houses of Parliament? Was it not evidently the work of a Faction, within or without both Houses, who deceived the Trust reposed in them; and had now told his Majesty, what Mutiny was? To stir Men up to a care of preserving his Prerogative, maintaining the Discipline of the Church, upholding and continuing the Reverence, and Solemnity of God's Service, encouraging of Learning, was Mutiny. Let Heaven and Earth, God and Man, judge between his Majesty and these Men: And however such Petitions were there called Mutinous; and the Petitioners threaten'd, discountenanced, censured, and imprison'd; if they brought such Petitions to his Majesty, he would graciously receive them; and defend them and their Rights, against what Power soever, with the utmost hazard of his being.

“His Majesty said, he had been the longer, to his very great pain, in this Answer, that he might give the World satisfaction, even in the most trivial particulars, which had been objected against him; and that he might not be again reproach'd, with any more prudent Omissions. If he had been compell'd to sharper Language, than his Majesty affected, it might be consider'd, how vile, how insufferable his Provocations had been: And, except to repel force were to assault, and to give punctual and necessary Answers to rough and insolent Demands, were to make Invektives, he was confident the World would accuse his Majesty of too much mildness; and all his good Subjects would think, he was not well dealt with; and would judge of his Majesty, and of their own happiness, and security in him, by his Actions; which he desired might no longer Prosper, or have a Blessing from God upon them, and his Majesty, than they should be directed to the Glory of God in the maintenance of the true Protestant Profession; to the preservation of the Property and Liberty of the Subject, in the observation of the Laws; and to the maintenance of the Rights and Freedom of Parliament, in the allowance and protection of all their just Privileges.

*The King's
Answer to
the Decla-
ration of
May 26.
1642.*

THIS Declaration was no sooner published, but his Majesty likewise set forth an Answer to that other Declaration of the 26th of May; in which he said, "That whosoever looked over the late Remonstrance, Entitled *A Declaration of the Lords and Commons*, of the 26th of May, would not think that his Majesty had great reason to be pleased with it; yet he could not but commend the plain dealing, and ingenuity of the framers, and contrivers of that Declaration (which had been wrought in a hotter and quicker Forge than any of the rest.) who would no longer suffer his Majesty to be Affronted by being told, They would make him a Great and Glorious King; whilst they used all possible skill, to reduce him to extreme want, and indigency; and that they would make him to be loved at Home, and feared Abroad; whilst they endeavour'd, by all possible ways, to render him odious to his good Subjects, and contemptible to all Foreign Princes, but, like round dealing Men, told him, in plain *English*, That they had done him no wrong, because he was not capable of receiving any; and that they had taken nothing from him, because he had never any thing of his own to lose. If that Doctrine were true, and that indeed he ought to be of no other consideration, than they had inform'd his People in that Declaration, that Gentlemen was much more excusable, that said publicly, unreprieved, That the happiness of the Kingdom did not depend on his Majesty, or upon any of the Royal Branches of that Root: And the other, who said, his Majesty was not worthy to be King of *England*: Language very monstrous to be allow'd by either House of Parliament; and of which, by the help of God, and the Law, he must have some Examination. But, he doubted not, all his good Subjects did now plainly discern, through the masque and vizard of their Hypocrisy, what their designs was; and would no more look upon the framers and contrivers of that Declaration, as upon both Houses of Parliament (whose Freedom, and just Privileges he would always maintain; and in whose behalf, he was as much scandaliz'd as for Himself) but as a Faction of Malignant, and Schismatical, and Ambitious Persons; whose design was, and always had been, to alter the whole frame of Government, both of Church and State; and to subject both King and People to their own Lawless, Arbitrary Power, and Government: of whose Persons, and of whose Designs, his Majesty said, he would, within a very short time, give his good Subjects and the World a full, and, he hoped, a satisfactory Narration.

"THE Contrivers and Penners of that Declaration (of whom his Majesty would be only understood to speak, when

" he

“ he mention'd any of their undutiful Acts against him) said,
 “ that the great Affairs of the Kingdom, and the miserable
 “ bleeding Condition of *Ireland*, would afford them little
 “ leisure to spend their time in Declarations, Answers, and
 “ Replies. Indeed, his Majesty said, the miserable, and de-
 “ plorable Condition of both Kingdoms, would require some-
 “ what else at their hands : But he would gladly know how
 “ they had spent their time since the recess (then almost
 “ eight Months) but in Declarations, Remonstrances, and In-
 “ vectives against his Majesty, and his Government ; or in
 “ preparing matter for them. Had his Majesty invited them
 “ to any such expence of time, by beginning Arguments of
 “ that Nature ? Their Leisure, or their Inclination, was not
 “ as they pretended : And what was their Printing and Pub-
 “ lishing their Petitions to him ; their Declarations, and Re-
 “ monstrances of him ; their odious Votes and Resolutions,
 “ sometimes of one, sometimes of both Houses, against his
 “ Majesty (never in that manner communicated before this
 “ Parliament) but an Appeal to the People ? And, in God's
 “ Name, let them judge of the Persons they had trusted.

“ THEIR first Quarrel was (as it was always, to let them
 “ into their frank expressions of his Majesty, and his Actions)
 “ against the Malignant Party ; whom they were pleased still
 “ to call ; and never to prove to be, his evil Counsellors. But
 “ indeed nothing was more evident by their whole Proceed-
 “ ings, than that by the Malignant Party, they intended all
 “ the Members of both Houses who agreed not with them in
 “ their Opinions (thence had come their distinction of good,
 “ and bad Lords ; of Persons ill affected to the House of Com-
 “ mons ; who had been proscribed, and their Names listed,
 “ and read in Tumults) and all the Persons of the Kingdom
 “ who approve not of their Actions. So that, if in truth they
 “ would be ingenuous, and name the Persons they intended ;
 “ Who would be the Men, upon whom the imputation of
 “ Malignity would be cast, but they who had stood stoutly,
 “ and immutably for the Religion, the Liberties, the Laws,
 “ for all Publick Interest ? (so long as there was any to be
 “ stood for) They, who had always been, and still were, as
 “ zealous Professors, and some of them as able, and earnest
 “ Defenders of the Protestant Doctrine against the Church of
 “ *Rome*, as any were ; who had often, and earnestly besought
 “ his Majesty to consent, that no indifferent, and unnecessary
 “ Ceremony, might be pressed upon weak, and tender Con-
 “ sciences, and that he would agree to a Bill for that purpose ?
 “ They to whose Wisdom, Courage, and Counsel, the King-
 “ dom ow'd as much as it could to Subjects ; and upon whose
 “ unblemished Lives, Envy it self could lay no imputation ;

"not endeavour'd to lay any, until their Virtues brought them to his Majesty's Knowledge, and Favour? His Majesty said, If the Contrivers of that Declaration would be faithful to themselves, and consider all those Persons of both Houses, whom they, in their own Consciences, knew to dissent from them in the Matter, and Language of that Declaration, and in all those undutiful Actions of which he complain'd, they would be found in Honour, Fortune, Wisdom, Reputation, and Weight, if not in Number, much superior to them. So much for the evil Counsellors.

"Then what was the evil Counsel it self? His Majesty's coming from *London* (where He, and many, whose affections to him were very eminent, were in danger every day to be torn in pieces) to *Tork*; where his Majesty, and all such as would put themselves under his Protection, might live, he thanked God and the Loyalty and Affection of that good People, very securely: His not submitting himself abso-lutely (and renouncing his own understanding) to the Votes, and Resolutions of the Contrivers of that Declaration, when they told his Majesty, that they were above him; and might, by his own Authority, do with his Majesty what they pleased: and his not being contented, that all his good Subjects Lives, and Fortunes, should be disposed of by their Votes; but by the known Law of the Land. This was the evil Counsel given; and taken: And would not all Men believe, there needed much power and skill of the Malignant Party, to infuse that Counsel into him? And then, to apply the Argument the Contrivers of that Declaration made for themselves, was it probable or possible, that such Men, whom his Majesty had mention'd (who must have so great a share in the misery) should take such pains in the procuring thereof; and spend so much time, and run so many hazards, to make themselves Slaves, and to ruin the Freedom of this Nation?

"His Majesty said (with a clear, and upright Conscience to God Almighty) whosoever harbour'd the least thought in his breast, of ruining or violating the Publick Liberty, or Religion of the Kingdom, or the just Freedom and Privilege of Parliament, let him be Accursed; and he should be no Counsellor of His, that would not say *Amen*. For the Contrivers of that Declaration, he had not said any thing, which might imply any inclination in them to be Slaves. That which he had charged them with, was invading the Publick Liberty; and his presumption might be very strong and vehement, that, though they had no mind to be Slaves, they were not unwilling to be Tyrants: What is Tyranny, but to admit no rules to govern by, but their own Wills?

"Wills? And they knew the misery of *Athens* was at the highest, when it suffer'd under the thirty Tyrants.

"His Majesty said, if that Declaration had told him (as indeed it might, and as in justice it ought to have done) that the Precedents of any of his Ancestors did fall short, and much below what had been done by Him, this Parliament, in point of Grace, and Favour to his People; he should not otherwise have wonder'd at it, than at such a truth in such a place. But when to justify their having done more than ever their Predecessors did, it told his good Subjects (as most injuriously and insolently it did) that the highest, and most unwarrantable Precedents of any of his Predecessors did fall short, and much below what had been done to them this Parliament by him, he must confess himself amazed, and not able to understand them; and he must tell those ungrateful Men (who durst tell their King, that they might, without want of Modesty and Duty, Depose him) that the Condition of his Subjects, when, by whatsoever Accidents and Conjunctions of time, it was at worst under his power, unto which, by no default of his, they should be ever again reduced, was, by many degrees, more pleasant and happy, than that to which their furious pretence of Reformation had brought them. Neither was his Majesty afraid of the highest Precedents of other Parliaments, which those Men boldly (his good Subjects would call it worse) told him they might, without want of Modesty or Duty, make their Patterns. If he had no other security against those Precedents, but their Modesty and Duty, he was in a miserable Condition, as all Persons would be who depended upon Them.

"THAT Declaration would not allow his Inference, that by avowing the Act of *Sr John Hotham*, they did destroy the Title, and Interest of all his Subjects to their Lands, and Goods; but confessed, if they were found Guilty of that Charge, it were indeed a very great Crime. And did they not, in that Declaration, admit themselves Guilty of that very Crime? Did they not say, Who doubts but that a Parliament may dispose of any thing, wherein his Majesty, or his Subjects had a right, in such a way as that the Kingdom might not be in danger thereby? Did they not then call Themselves this Parliament, and challenge that Power without his Consent? Did they not extend that Power to all Cases, where the Necessity or Common Good of the Kingdom was concern'd? And did they not arrogate to themselves alone, the Judgement of that Danger, that Necessity, and that Common Good of the Kingdom? What was, if that were not, to unsettle the Security of all

"Men's

"Men's Estates; and to expose them to an Arbitrary Power
 "of their own? If a Faction should at any time by cunning,
 "or force, or absence, or accident, prevail over a Major part
 "of both Houses; and pretend that there were evil Coun-
 "sellors, a Malignant Party about the King; by whom the
 "Religion, and Liberty of the Kingdom, were both in dan-
 "ger (this they might do, they had done it then). they might
 "take away, be it from the King, or People, whatsoever
 "they, in their judgements should think fit This was Law-
 "ful, they had declar'd it so: Let the World judge, whether
 "his Majesty had charged them unjustly: and whether they
 "were not Guilty of the Crime, which themselves confessed
 "(being proved) was a great One; and how safely his Ma-
 "jesty might commit the power, those People desired, into
 "their Hands; who, in all probability, would be no sooner
 "possessed of it, than they would revive that Tragedy, which
 "Mr *Hooker* related of the Anabaptists in *Germany*; who,
 "talking of nothing but Faith, and of the true Fear of God,
 "and that Riches and Honour were Vanity; at first, upon
 "the great opinion of their Humility, Zeal, and Devotion,
 "procured much Reverence, and Estimation with the People;
 "after, finding how many Persons they had ensnared with
 "their Hypocrisy, they begun to propose to themselves to re-
 "form both the Ecclesiastical, and Civil Government of the
 "State: Then, because possibly they might meet with some op-
 "position, they secretly enter'd into a League of Association;
 "and shortly after, finding the power they had gotten with the
 "credulous People, enrich'd themselves with all kind of
 "Spoil and Pillage; and justify'd themselves upon our Savi-
 "ours promise, *The meek shall inherit the Earth*; and declar'd
 "their Title was the same which the Righteous *Israelites*
 "had to the Goods of the Wicked *Egyptians*: His Majesty
 "said, this story was worth the reading at large, and needed
 "no application.

"BUT his Majesty might by no means say, that He had
 "the same Title to his Town of *Hull*, and the Ammunition
 "there, as any of his Subjects had to their Land, or Money:
 "That was a Principle, that pull'd up the Foundation of the
 "Liberty, and Property of every Subject. Why? because
 "the King's Property in his Towns, and in his Goods bought
 "with the Publick Money, as they conceive his Magazine at
 "*Hull* to be, was inconsistent with the Subjects Property in
 "their Lands, Goods, and Liberty. Did those Men think,
 "that as they assumed a power of declaring Law (and whatso-
 "ever contradicted that Declaration broke their Privileges)
 "so that they had a power of declaring Sense, and Reason,
 "and imposing Logick, and Syllogisms on the Schools, as well

“as Law upon the People? Did not all Mankind know that
 “several Men might have several Rights, and Interests in the
 “self same House and Land, and yet neither destroy the other?
 “Was not the Interest of the Lord *Paramount* consistent with
 “that of the *Mesne* Lord; and His with that of the Tenant;
 “and yet their Properties or Interests not at all confounded?
 “And why might not his Majesty then have a full, lawful
 “Interest, and Property in his Town of *Hull*, and yet his Sub-
 “jects have a Property in their Houses too? But he could
 “not sell, or give away at his Pleasure this Town and Fort, as
 “a private Man might do his Lands or Goods. What then?
 “Many Men have no Authority to let, or set their Leases, or
 “sell their Land, have they therefore no Title to them; or In-
 “terest in them? May they be taken from them, because they
 “cannot sell them? He said, the purpose of his Journey to
 “*Hull*, was neither to sell, or give it away.

“BUT for the Magazine, the Munition there, that he
 “bought with his own Money, he might surely have sold that,
 “lent, or given it away. No; he bought it with the Publick
 “Money, and the proof is, They conceive it so; and, upon
 “that Conceit, had Voted, that it should be taken from him.
 “Excellent Justice! Suppose his Majesty had kept that Money
 “by him, and not bought Armes with it, would they have
 “taken it from him upon that Conceit: Nay, might they
 “not, where-ever that Money was (for through how many
 “hands soever it hath passed, it is the Publick Money still, if
 “ever it were) seize it, and take it from the owners? But the
 “Towns, Forts, Magazine, and Kingdom, is entrusted to his
 “Majesty; and he is a Person trusted. His Majesty said, he
 “was so; God, and the Law had trusted him; and he had
 “taken an Oath to discharge that Trust, for the good and
 “safety of the People. What Oaths they had taken, he knew
 “not, unless those, which, in that violence, they had mani-
 “festly, maliciously violated. Might any thing be taken from
 “a Man, because he is trusted with it? Nay, may the Person
 “himself take away the thing he trusts, when he will, and in
 “what manner he will? The Law had been otherwise, and,
 “he believ’d, would be so held, notwithstanding their De-
 “clarations.

“BUT that Trust ought to be managed by their Advice,
 “and the Kingdom had Trusted them for that purpose. Im-
 “possible, that the same Trust should be irrecoverably com-
 “mitted to his Majesty, and his Heirs for ever, and the same
 “Trust, and a Power above that Trust (for so was the Power
 “they pretended) be committed to others. Did not the Peo-
 “ple, that sent them, look upon them as a Body but Tempo-
 “rary, and Dissolvable at his Majesty’s Pleasure? And could

“it

"it be believ'd, that they intended them for his Guardians,
 "and Controulers in the managing of that Trust, which God
 "and the Law had granted to Him, and to his Posterity for
 "ever? What the extent of the Commission, and Trust was,
 "nothing could better teach them than the Writ, whereby
 "they are met. His Majesty said, he call'd them (and with-
 "out that call, they could not have come together) to be his
 "Counsellors, not Commanders (for however they frequent-
 "ly confounded them, the Offices were several) and Coun-
 "sellors not in all things, but in some things, *de quibusdam*
 "*arduis* &c. And they would easily find among their Pre-
 "cedents, that Queen *Eliz.* upon whose time all good Men
 "looked with reverence, committed one *Wintworth*, a Mem-
 "ber of the House of Commons, to the Tower, sitting the
 "House, but for proposing that they might advise the Queen
 "in a matter She thought they had nothing to do to meddle
 "in. But his Majesty is Trusted: And is He the only Per-
 "son Trusted? And might they do what their own inclina-
 "tion and fury led them to? Were they not Trusted by his
 "Majesty, when he first sent for them; and were they not
 "Trusted by him, when he passed them his promise, that he
 "would not Dissolve them? Could it be presumed (and pre-
 "sumptions go far with them) that he Trusted them with a
 "power to destroy himself, and to dissolve his Government,
 "and Authority? If the People might be allowed to make an
 "equitable construction of the Laws and Statutes, a Doctrine
 "avowed by them, would not all his good Subjects swear, he
 "never intended by that Act of Continuance, that they should
 "do what they have since done? Were they not Trusted by
 "those that sent them? And were they Trusted to alter the
 "Government of Church and State; and to make themselves
 "perpetual Dictators over the King, and People? Did they
 "intend, that the Law it self should be subject to their Votes;
 "and that whatsoever they said, or did, should be Lawful,
 "because they declared it so? The Oaths they had taken
 "who sent them, and without taking which, themselves were
 "not capable of their place in Parliament, made the one in-
 "capable of giving, and the other of receiving such a Trust;
 "unless they could persuade his good Subjects, that his Ma-
 "jesty is the only Supreme Head, and Governour in all
 "Causes, and over all Persons, within his Dominions; and
 "yet that they had a Power over him to constrain him to
 "manage his Trust, and Govern his Power, according to
 "their Discretion.

"THE Contrivers of that Declaration told his Majesty
 "that they would never allow him (an humble, and duriful
 "expression) to be judge of the Law; That belonged only

"to Them; They might, and must, judge and declare. His
 "Majesty said, they all knew what power the Pope, under
 "preference of interpreting Scriptures, and declaring Articles
 "of Faith, though he decline the making the one of the other,
 "had usurped over Men's consciences; and that, under co-
 "lour of having power of ordering all things for the Good of
 "Men's Souls, he entitles himself to all the Kingdoms of the
 "world: He would not accuse the Framers of that Declara-
 "tion (how bold soever they were with his Majesty) that
 "they inclined to Popery, of which another Maxim was,
 "that all Men must submit their Reason and Understand-
 "ing, and the Scripture it self, to that declaring power of
 "his: Neither would he tell them, though They had told
 "Him so, that they use the very Language of the Rebels of
 "*Ireland*: and yet they say those Rebels declare, that what-
 "soever they do, is for the Good of the King and King-
 "dom. But his good Subjects would easily put the case to
 "themselves, whether if the Papists in *Ireland* in truth were,
 "or, by Art or Accident, had made themselves the Major
 "part of both Houses of Parliament there; and had pre-
 "tended the Trust in that Declaration from the Kingdom of
 "*Ireland*; thereupon, had Voted their Religion and Liberty
 "to be in danger of extirpation from a Malignant Party of
 "Protestants, and Puritans; and therefore, that they would
 "put themselves into a posture of Defence; that the Forts,
 "and the Militia of that Kingdom were to be put into the
 "hands of such Persons, as they could Confide in; that his
 "Majesty was indeed trusted with the Towns, Forts, Maga-
 "zines, Treasures, Offices and People of the Kingdom, for
 "the good, safety, and best advantage thereof; but as his
 "Trust is for the use of the Kingdom, so it ought to be ma-
 "naged by the Advice of both Houses of Parliament, whom
 "the Kingdom had trusted for that purpose, it being their
 "duty to see it discharged according to the condition, and
 "true intent thereof, and by all possible means to prevent
 "the contrary: His Majesty said, let all his good Subjects
 "consider, if that Rebellion had been plotted with all that
 "formality, and those circumstances declar'd to be legal, at
 "least according to the Equitable sense of the Law, and to be
 "for the publick good, and justifiable by necessity, of which
 "They were the only Judges, whether, though they might
 "have thought their design to be more Cunning, they would
 "believe it the more Justifiable.

"NAY let the Framers of that Declaration ask themselves,
 "if the evil Counsellors, the Malignant Party, the Persons
 "ill affected, the Popish Lords and their Adherents, should
 "prove now, or hereafter, to be a Major part of both Houses
 " (for

“ (for it had been declared that a great part of both Houses
 “ had been such, and so might have been the Greater ; Nay,
 “ the greater part of the House of Peers was still declar’d to
 “ be such, and his Majesty had not heard of any of their con-
 “ version ; and thereupon it had been earnestly pressed, that
 “ the Major part of the Lords might joyn with the Major
 “ part of the House of Commons) would his Majesty be
 “ bound to consent to all such alterations, as those Men should
 “ propose to him, and Resolve to be for the publick Good :
 “ And should the Liberty, Property, and Security of all his
 “ Subjects, depend on what such Votes should declare to be
 “ Law ? Was the Order of the Militia unfit, and unlawful,
 “ whilst the Major part of the Lords refused to joyn in it
 “ (as they had done two or three several times, and it was
 “ never heard, before this Parliament, that they should be so,
 “ and so often pressed after a Dissent declared) and did it
 “ grow immediately necessary for the publick safety, and law-
 “ ful by the Law of the Land, as soon as so many of the dis-
 “ senting Peers were driven away (after their Names had
 “ been required at the Bar, contrary to the freedom, and
 “ foundation of Parliament) that the other Opinion prevail-
 “ ed ? Did the Life, and Liberty of the Subject depend upon
 “ such Accidents of days, and hours, that it was impossible
 “ for him to know his Right in either ? God forbid.

“ BUT now, to justify their Invasion of his Majesty’s an-
 “ cient, unquestion’d, undoubted Right, settled and esta-
 “ blish’d on his Majesty and his Posterity by God himself ;
 “ confirm’d, and strengthen’d by all possible Titles of Com-
 “ pact, Laws, Oaths, perpetual and uncontradicted Custom,
 “ by his People ; What had they alledg’d to declare to the
 “ Kingdom, as they say, the obligation that lieth upon the
 “ Kings of this Realm to pass all such Bills, as are offer’d
 “ unto them by both Houses of Parliament ? A thing never
 “ heard of till that day : An Oath (Authority enough for
 “ them to break all theirs) that is, or ought to be, taken by
 “ the Kings of this Realm, which is as well to remedy by
 “ Law such Inconveniences the King may suffer, as to keep,
 “ and protect the Laws already in being : And the Form of
 “ this Oath, they said, did appear upon a Record there cited ;
 “ and by a Clause in the Preamble of a Statute, made in the
 “ 25th year of *Edw. III.*

“ His Majesty said, he was not enough acquainted with
 “ Records to know whether that were fully, and ingenuously
 “ cited ; and when, and how, and why, the several Clauses
 “ had been inserted, or taken out of the Oaths formerly ad-
 “ minister’d to the Kings of this Realm : Yet he could not
 “ possibly imagine the assertion that Declaration made, could

"be deduced from the words; or the matter of that Oath: for
 "unless they had a power of declaring Latin, as well as Law,
 "sure, *elegerit*, signified *hath* chosen, as well as *will* choose;
 "and that it signified so there (besides the Authority of the
 "perpetual Practice of all succeeding times: a better Inter-
 "preter than their Votes) it was evident, by the reference
 "it had to customs, *consuetudines quas Vulgus elegerit*: And
 "could that be a Custom, which the People should choose af-
 "ter this Oath taken? And should a King be sworn to defend
 "such Customs? Besides could it be imagin'd, that he should
 "be bound by Oath to pass such Laws (and such a Law was
 "the Bill they brought to him of the Militia) as should put
 "the power, wherewith he was trusted, out of Himself into
 "the hands of other Men; and divert and disable himself of
 "all possible power to perform the great business of the Oath;
 "which was to protect them? If his Majesty gave away all
 "his power, or if it were taken from him, he could not pro-
 "tect any Man: And what discharge would it be for his Ma-
 "jesty, either before God or Man, when his Good Subjects,
 "whom God and the Law had committed to his charge,
 "should be worried and spoiled; to say that he trusted others
 "to protect them? That is, to do that Duty for him, which
 "was essentially, and inseparably his own. But that all his
 "good Subjects might see how faithfully these Men, who as-
 "sumed this Trust from them, desired to discharge their
 "Trust; he would be contented to publish, for their satisfac-
 "tion (a matter notorious enough, but what he himself ne-
 "ver thought to have been put to publish, and of which the
 "Framers of that Declaration might as well have made use,
 "as of a Latin Record they knew many of his good Subjects
 "could not, and many of themselves did not understand) the
 "Oath it self he took at his Coronation, warranted and en-
 "joy'd to it by the Customs, and directions of his Prede-
 "cessors; and the Ceremony of theirs, and his taking it;
 "they might find it in the Records of the Exchequer; This it is:

THE Sermon being done, the Arch-Bishop goeth to the
 King, and asks his willingness to take the Oath usually taken
 by his Predecessors:

THE King sheweth himself willing, and goeth to the Al-
 tar; the Arch-Bishop administers these Questions, and the
 King Answereth them severally:

Episcopus. Sr, will you grant and keep, and by your Oath
 confirm to the People of *England*, the Laws and Customs to
 them granted by the Kings of *England*, your Lawful and Re-
 ligious

ligious Predecessors: And namely the Laws, Customs, and Franchises granted to the Clergy, by the Glorious King Saint Edward, your Predecessor, according to the Laws of God, the true profession of the Gospel establish'd in this Kingdom, and agreeable to the Prerogative of the Kings thereof, and the Ancient Customs of this Realm?

Rex. I grant, and promise to keep them.

Episc. Sr, will you keep Peace, and godly agreement entirely, according to your power, both to God, the Holy Church, the Clergy, and the People?

Rex. I will keep it.

Episc. Sr, will you to your Power, cause Law, Justice, and Discretion, in Mercy and Truth, to be executed in all your Judgments?

Rex. I will.

Episc. Sr, will you grant to hold, and keep the Laws, and rightful Customs, which the Commonalty of this your Kingdom have; and will you defend, and uphold them to the Honour of God, so much as in you lieth?

Rex. I grant, and promise so to do.

THEN one of the Bishops reads this Admonition to the King, before the People, with a loud Voice.

OUR Lord and King, we beseech you, to pardon, and to grant, and to preserve unto us, and to the Churches committed to our Charge, all Canonical Privileges, and due Law, and Justice; and that you would protect, and defend us, as every good King in his Kingdom ought to be Protector, and Defender of the Bishops, and Churches under their Government.

The King Answereth;

WITH a willing and devout Heart I promise, and grant my Pardon; and that I will preserve and maintain to you, and the Churches committed to your Charge, all Canonical Privileges, and due Law, and Justice, and that I will be your Protector and Defender, to my Power, by the assistance of God, as every good King in his Kingdom in right ought to protect, and defend the Bishops, and the Churches under their Government.

THEN

THEN the King ariseth, and is led to the Communion Table: where He makes a solemn Oath in sight of all the People, to observe the Premises; and laying his Hand upon the Book, sayeth:

THE OATH.

THE things which I before promised, I shall perform, and keep: So help me God, and the Contents of this Book.

HIS Majesty said, "all the World might judge, whether such Doctrine, or such Conclusions, as those Men brought, could follow, or have the least pretence, from that Oath: For the Preamble of the Statute they cited, that told his Majesty, that the King was bound to remedy, by Law, the mischiefs and damages which happen to his People: his Majesty said, he was so; but asked whether the King were bound, by the Preamble of that Statute, to renounce his own judgment, his own understanding in those mischiefs, and of these remedies? How far forth he was obliged to follow the Judgment of his Parliament, that Declaration still confessed to be a question. Without question, he said, none could take upon them to remedy even mischiefs, but by Law, for fear of greater mischiefs than those they go about to remedy.

"BUT his Majesty was bound in justice to consent to their Proposals, because there was a Trust reposed in his Majesty to preserve the Kingdom, by making new Laws: He said, he was glad there was so; then he was sure no new Law could be made without His Consent; and that the gentleness of his Answer, *le Roy S'avisera*, if it be no Denial, it is no Consent; and then the matter was not great. They would yet allow his Majesty a greater latitude of granting, or denying, as he should think fit, in publick Acts of Grace, as Pardons, or the like Grants of Favour: Why did they so? If those Pardons, and publick Acts of Grace were for the publick Good (which they might Vote them to be) they would then be absolutely in their own disposal: But had they left that power to his Majesty? They had sure, at least, shared it with him; How else had they got the power to pardon Serjeant-Major-General *Skippon* (a new Officer of State, and a Subject his Majesty had no Authority to send to speak with) and all other Persons imploy'd by them, and such as had imploy'd themselves for them, not only for what they had done, but for what they should do? If they had power to declare such Actions to be no Treason, which his Majesty would not pardon; such Actions to be Treason, which need no pardon; the Latitude they allow'd his Ma-

“ jesty of granting, or denying of Pardons, was a Jewel they
 “ might still be content to suffer his Majesty to wear in his
 “ Crown, and never think themselves the more in danger.

“ ALL this Consider'd, the Contriver of that Message
 “ (since they would afford his Majesty no better Title) whom
 “ they were angry with, did not conceive, the People of this
 “ Land to be so void of Common Sense, as to believe his
 “ Majesty, who had denied no one thing for the ease, and be-
 “ nefit of them, which in Justice or Prudence could be ask-
 “ ed, or in Honour and Conscience could be granted, to have
 “ cast off all care of the Subjects Good; and the Framers,
 “ and Devisers of that Declaration (who had endeavour'd
 “ to render his Majesty odious to his Subjects, and them dis-
 “ loyal to him, by pretending such a Trust in Them) to have
 “ only taken it up: Neither, he was confident, would they
 “ be satisfied, when they felt the misery and the burthens,
 “ which the fury and the malice of those People would bring
 “ upon them, with being told that calamity proceeded from
 “ evil Counsellors, whom no body could name; from Plots
 “ and Conspiracies, which no Man could discover; and from
 “ Fears and Jealousies, which no Man understood: And there-
 “ fore, that the consideration of it should be left to the Con-
 “ science, Reason, Affection, and Loyalty of his good Sub-
 “ jects, who do understand the Government of this Kingdom,
 “ his Majesty said, he was well content.

“ His Majesty ask'd, where the folly and madness of those
 “ people would end, who would have his People believe, that
 “ his absenting himself from *London*, where, with his safety,
 “ he could not stay, and the continuing his Magazine at
 “ *Hull*, proceeded from the secret Plots of the Papists here,
 “ and to advance the design of the Papists in *Ireland*? But it
 “ was no wonder that they, who could believe St *John*
 “ *Hotham's* shutting his Majesty out of *Hull*, to be an Act of
 “ Affection and Loyalty, would believe that the Papists, or
 “ the Turk perswaded him to go thither.

“ AND could any sober Man think that Declaration to be
 “ the consent of either, or both Houses of Parliament, un-
 “ awed either by fraud or force; which (after so many Thanks,
 “ and humble Acknowledgements of his gracious favour in
 “ his Message of the twentieth of *January*, so often, and so
 “ unanimously presented to his Majesty from both Houses of
 “ Parliament) now told him, that the Message at first was,
 “ and, as often as it had been since mention'd by him, had
 “ been a breach of Privilege (of which they had not used to
 “ have been so negligent, as in four Months not to have com-
 “ plain'd, if such a breach had been) and that their own Me-
 “ thod of proceeding should not be proposed to them; as if
 “ his

“his Majesty had only Authority to call them together, not
 “to tell them what they were to do, not so much as with re-
 “ference to his own Affairs. What their own Method had
 “been, and whither it had led Them, and brought the King-
 “dom, all Men see ; what His would have been, if season-
 “ably and timely applied unto, all Men might judge ; his
 “Majesty would speak no more of it.

“BUT see now what excellent Instances, they had found
 “out, to prove an inclination, if not in his Majesty; in some
 “about him, to Civil War: Their going with his Majesty
 “to the House of Commons (so often urg’d, and so fully
 “Answer’d) their attending on him to *Hampton Court*, and
 “appearing in a Warlike manner at *Kingston upon Thames* ;
 “His going to *Hull* ; their drawing their Swords at *Tork*, de-
 “manding , who would be for the King ? the declaring *Sr*
 “*John Hotbham* Traytor, before the Méliage sent to the Par-
 “liament ; the Propositions to the Gentry in *Tork-shire*, to
 “assist his Majesty against *Sr John Hotbham*, before he had
 “receiv’d an Answer from the Parliament : All desperate In-
 “stances of an inclination to a Civil War. Examine them
 “again: The manner, and Intent of his going to the House
 “of Commons, he had set forth at large, in his Answer to
 “their Declaration of the nineteenth of *May* ; all Men might
 “judge of it. Next, did they themselves believe, to what
 “purpose soever that Rumour had serv’d their turn, that there
 “was an apperance in Warlike manner at *Kingston upon*
 “*Thames* ? Did they not know, that whensoever his Majesty
 “had been at *Hampton-Court*, since his first coming to the
 “Crown, there was never a less appearance, or in a less
 “Warlike manner, than at the time they meant ? He said,
 “he would say no more, but that His appearance in a War-
 “like manner at *Kingston upon Thames*, and Theirs at *King-*
 “*ston upon Hull*, was very different ? What was meant by
 “the drawing of Swords at *Tork*, and demanding, who would
 “be for the King, must be enquired at *London* ; for, his Ma-
 “jesty believed, very few in *Tork* understood the meaning of
 “it. For his going to *Hull*, which they would by no means
 “endure should be called a Visit, whether it were not the
 “way to prevent, rather than to make a Civil War, was very
 “obvious: And the declaring him a Traytor in the very Act
 “of his Treason, would never be thought unreasonable, but
 “by those who believed him to be a loving, and loyal Sub-
 “ject ; no more than the endeavouring to make the Gentle-
 “men of that County sensible of that Treason (which they
 “were in an honourable, and dutiful degree) before he re-
 “ceiv’d the Answer from both Houses of Parliament: For,
 “if they had been, as his Majesty expected they should have
 “been,

“been, sensible of that intolerable injury offer’d to him, might he not have had occasion to have used the affection of these Gentlemen? Was he sure that *Sr John Hotbam*, who had kept him out without their Order (he spake of a publick Order) would have let him in, when they had forbidden him? And if they had not such a sense of him (as the case falls out to be) had he not more reason to make Propositions to those Gentlemen, whose readiness and affection on he, or his Posterity, would never forget?

“BUT this business of *Hull* sticks still with them; and finding his Questions hard, they are pleased to Answer his Majesty by asking other Questions of Him: No matter for the exceptions against the Earl of *New-Castle* (which have been so often urged, as one of the principal grounds of their Fears and Jealousies; and which drew that Question from him) They asked his Majesty, why, when he held it necessary, that a Governour should be placed in *Hull*, *Sr John Hotbam* should be refused by him, and the Earl of *New-Castle* sent down? His Majesty Answer’d, because he had a better opinion of the Earl of *New-Castle* than of *Sr John Hotbam*; and desired to have such a Governour over his Towns, if he must have any, as should keep them for, and not against him: And if his going down were in a more private way than *Sr John Hotbam’s*, it was because he had not that Authority to make a noise by levying and billeting of Soldiers, in a peaceable time, upon his good Subjects, as it seem’d *Sr John Hotbam* carried down with him. And the Imputation which is cast by the way upon that Earl, to make his reputation not so unblemish’d, as he conceiv’d, and the World believes it to be; and which, though it was not ground enough for Judicial Proceeding (it is wonder it was not) was yet ground enough for suspicion, must be the case of every Subject in *England* (and he wish’d it went no higher) if every vile Aspersion, contriv’d by unknown hands, upon unknown or unimaginable grounds, which is the way practis’d to bring any Vertuous and deserving Men into obloquy, should receive the least credit, or countenance in the world.

“THEY tell him, their Exception to those Gentlemen, who deliver’d their Petition to him at *York*, was that they presumed to take the Style upon them of all the Gentry, and Inhabitants of that County; whereas, they say, so many more of as good Quality as themselves, of that County, were of another opinion; and have since, by their Petition to his Majesty, disavowed that Act. Their Information in that point, his Majesty said, was no better than it useth to be; and they would find, that neither the Number, or
“the

" the Quality of those who have, or will disavow that Petiti-
 " on ; was as they imagine ; though too many weak Persons
 " were misled (which they did, and would every day more
 " and more understand) by the Faction, Skill, and Industry
 " of that True Malignant Party, of which he did, and had
 " reason to complain. They said, they had receiv'd no Petition
 " of so strange a nature : What nature ? Contrary to the Votes
 " of both Houses : that is, they had receiv'd no Petition they
 " had no mind to receive. But his Majesty had told them a-
 " gain, and all his good Subjects would tell them, that they had
 " receiv'd Petitions, with joy and approbation, against the
 " Votes of both Houses of their Predecessors, confirm'd and
 " establish'd into Laws by the consent of his Majesty, and his
 " Ancestors ; and allow'd those Petitions to carry the Style,
 " and to seem to carry the desires of Cities, Towns, and Coun-
 " ties, when, of either City, Town, or County, very few
 " known, or considerable Persons, had been privy to such Pe-
 " titions : whereas, in truth, the Petitions deliver'd to his
 " Majesty, against which they except, carried not the Style
 " of all, but some of the Gentry and Inhabitants ; and im-
 " plied no other consent, than such as went visibly along
 " with it.

" BUT his Majesty was all this while in a mistake ; the Ma-
 " gazine at *Hull* was not taken from him. Who told them
 " so ? They who assure them (and whom without breaking
 " their Privileges they must believe) that *Sr John Hotbams*
 " shutting the Gates against his Majesty, and resisting his en-
 " trance with arm'd Men (though he thought it in defiance
 " of him) was indeed in obedience to him, and his Authori-
 " ty ; and for His Service, and the Service of the Kingdom.
 " He was to let none in, but such as came with his Majesty's
 " Authority, signified by both Houses of Parliament : himself
 " and they had order'd it so. And therefore he kept his Ma-
 " jesty out, only till his Majesty or he himself might send for
 " their Directions. His Majesty said, he knew not whether
 " the Contrivers of that Declaration meant, that his good
 " Subjects should so soon understand, though it was plain
 " enough to be understood, the meaning of the King's Au-
 " thority signified by both Houses of Parliament : But sure the
 " world would now easily discern in what miserable case he
 " had, by this time, been (it is bad enough as it is) if he had
 " consented to their Bill, or to their Ordinance of the Mili-
 " tia, and given those Men power to have rais'd all the Armes
 " of the Kingdom against him, for the Common Good, by
 " his own Authority : Would they not, as they had kept him
 " from *Hull*, by this time have beaten him from *Tork*, and
 " pursued him out of the Kingdom, in his own behalf ? Nay

" might not this Munition, which is not taken from him, be
 " employ'd against him; not against his Authority signified
 " by both Houses of Parliament, but only to kill those ill
 " Counsellors, the Malignant Party which is about him, and
 " yet for His Good, for the Publick Good (they would declare
 " it so) and so no Treason within the Statute of 25. Ed. III?
 " which, by their Interpretation, had left his Majesty, the
 " King of *England*, absolutely less provided for, in point of
 " safety, than the meanest Subject of the Kingdom: And every
 " Subject of this Land (for whose security that Law was made,
 " that they may know their duty, and their danger in break-
 " ing of it) may be made a Traytor when these Men please
 " to say, he is so. But did they think That, upon such an
 " Interpretation (upon pretence of Authority of Book Cases
 " and Precedents, which, without doubt, they would have
 " cited, if they had been to their purpose) out of which no-
 " thing can result, but confusion to King and People, would
 " find any credit with his good Subjects? And that so excel-
 " lent a Law, made both for security of King and People,
 " shall be so eluded, by an interpretation no Learned Lawyer
 " in *England* would at this hour, he believed, set under his
 " hand, notwithstanding the Authority of that Declaration;
 " which, he hoped, shall bring nothing but Infamy upon the
 " Contrivers of it?

" Now to their Privileges: Though it be true, they say,
 " that their Privileges do not extend to Treason, Felony, or
 " breach of the Peace, so as to exempt the Members from all
 " manner of Process, and Trial; yet it doth privilege them in
 " the way, or method of their Trial: the Cause must be first
 " brought before Them, and Their consent asked, before you
 " can proceed. Why then their Privileges extend as far in
 " these Cases, as in any that are most unquestion'd; for no
 " Privilege whatsoever, exempts them from all manner of
 " Process and Trial, if you first acquaint the House with it,
 " and they give you leave to proceed by those Processes, or to
 " that Trial: But, by this Rule, if a Member of either House
 " commit a Murther, you must by no means meddle with
 " him, till you have acquainted that House of which he is a
 " Member, and received their direction for your Proceeding,
 " assuring your self, he will not stir from that place where
 " you left him, till you return with their consent; should it
 " be otherwise, it would be in the power of every Man, under
 " the pretence of Murther, to take one after another, and as
 " many as he pleaseth; and so, consequently, bring a Parlia-
 " ment to what he pleaseth, when he pleaseth. If a Member
 " of either House shall take a Purse at *Tork* (he may as pro-
 " bably take a Purse from a Subject, as Armes against the
 " King

"King) you must ride to *London*, to know what to do,
 "and He may ride with you, and take a new Purse every
 "Stage, and must not be apprehended, or declared a Felon,
 "till you have asked that House of which he is a Member;
 "should it be otherwise, it might be in every Man's power
 "to accuse as many Members as he would of taking Purse;
 "and so bring a Parliament, and so all Parliaments, to nothing.
 "Would these Men be believed? And yet they make no
 "doubt but every one who hath taken the Protestation, would
 "defend this Doctrine with his Life and Fortune. Would
 "not his Subjects believe, that they had imposed a pretty
 "Protestation upon them; and that they had a very good end
 "in the doing of it, if it obligeth them to such hazards, to
 "such undertakings? Must they forget or neglect his Ma-
 "jesty's Person, Honour, and Estate, which, by that Prote-
 "station, they are bound to defend; and, in some degree,
 "do understand? And must they only venture their Lives
 "and Fortunes to justify Privileges they know not, or ever
 "heard of before? Or are they bound by that Protestation
 "to believe, that the Framers of that Declaration have power
 "to extend their own Privileges, as far as they think fit; and
 "to contract his Majesty's Rights, as much as they please;
 "and that they are bound to believe them in either, and to
 "venture their Lives and Fortunes in that Quarrel?

"FROM declaring how mean a Person his Majesty is, and
 "how much the Kingdom hath been mistaken in the under-
 "standing of the Statute of the 25. E. III. concerning Treason,
 "and that all Men need not fear Levying War against him,
 "so they have their Order to Warrant them; They pro-
 "ceed, in the Spirit of declaring, to certify his Subjects in
 "the mistakings, which, near one hundred and fifty years,
 "have been receiv'd concerning the Statute of the 2 Hen. VII.
 "ch. 1. (a Statute all good Subjects will read with Comfort)
 "and tell them, that the serving of the King for the time be-
 "ing, cannot be meant of *Perkin Warbeck*, or of any that
 "should call himself King; but such a One as is allow'd, and
 "received by the Parliament in the behalf of the Kingdom:
 "And was not his Majesty so allow'd? However, through a
 "dark mist of words, and urging their old Privileges (which,
 "he hoped, he had sufficiently Answer'd, and will be every
 "day more confuted by the Actions of his good Subjects)
 "they conclude, that those that shall guide themselves by
 "the judgement of Parliament, which they say is their own,
 "ought, whatsoever happen, to be secure, and free from all
 "Account and Penalties, upon the ground and enquiry of that
 "very Statute: How far their own Chancellors may help
 "them in that equity, his Majesty knew not; but by the

“help of God and that good Law, He would allow no such equity: So then, there is the Doctrine of that Declaration; and these are the Positions of the Contrivers of it.

1. THAT they have an absolute Power of declaring the Law; and that whatsoever they declare to be so, ought not to be question'd by his Majesty, or any Subject: So that all Right and Safety of Him and his People, must depend upon their Pleasure.

2. THAT no Precedents can be limits to bound their Proceedings: So they may do what they please.

3. THAT the Parliament may dispose of any thing, where-in the King or Subject hath a Right, for the Publick Good; that they, without the King, are this Parliament, and judge of this Publick Good; and that his Majesty's Consent is not necessary: So the Life and Liberty of the Subject, and all the good Laws made for the security of them, may be disposed of, and repeal'd by the Major part of both Houses at any time present, and by any ways and means procured so to be; and his Majesty had no Power to protect them.

4. THAT no Member of either House ought to be troubled or meddled with for Treason, Felony, or any other Crime, without the Cause first brought before Them, that they may judge of the Fact, and their leave obtain'd to proceed.

5. THAT the Sovereign Power resides in both Houses of Parliament; and that his Majesty had no Negative Voice: So then his Majesty Himself must be subject to their Commands.

6. THAT the Levying of Forces against the Personal Commands of the King, though accompanied with his Presence, is not Levying War against the King; but the Levying War against his Laws and Authority (which they have Power to declare, and signify) though not against his Person, is Levying War against the King: And that Treason cannot be committed against his Person, otherwise than as he is entrusted with the Kingdom, and discharging that Trust; and that They have a Power to judge, whether he discharges that Trust or no.

7. THAT if they should make the highest Precedents of other Parliaments their Patterns, there would be no cause to complain of want of Modesty or Duty in them; that is, they may Depose his Majesty when they will, and are not to be blamed for so doing.

“AND now (as if the meer publishing of their Resolutions, would not only prevail with the People, but, in the instant, destroy all Spirit, and Courage in his Majesty to preserve

“preserve his own Right, and Honour) they had since taken
 “the boldness to assault him with certain Propositions: which
 “they call the most necessary effectual means for the remov-
 “ing those Jealousies, and Differences between his Majesty
 “and his People; that is, that he would be content to de-
 “vest himself of all his Regal rights, and dignities; be con-
 “tent with the Title of a King, and suffer Them, according
 “to their discretion to govern Him, and the Kingdom, and
 “to dispose of his Children. How suitable and agreeable this
 “Doctrine, and these Demands were to the Affection of his
 “loving Subjects, under whose Trust these Men pretend to
 “say, and do these Monstrous Things; and to design not
 “only the ruin of his Person, but of Monarchy it self (which,
 “he might justly say, was more than ever was offer’d in any
 “of his Predecessors times; for though the Person of the
 “King hath been sometimes unjustly Deposed, yet the Regal
 “Power was never, before this time, struck at) he believes
 “his good Subjects would find some way to let Them, and
 “the World know: And, from this time, such who had been
 “misled, by Their ill Counsels, to have any hand in the exe-
 “cution of the Militia, would see to what Ends their Service
 “was design’d; and therefore if they should presume here-
 “after to meddle in it, they must expect, that he would im-
 “mediately proceed against them as actual raisers of Sedition,
 “and as Enemies to his Sovereign Power.

“His Majesty said, he had done: And should now expect
 “the worst Actions these Men had Power to commit against
 “him; worse words they could not give him: And he doubt-
 “ed not, but the Major part of both Houses of Parliament,
 “when they might come together with their Honour and
 “Safety (as well those who were surpris’d at the passing of
 “it, and understood not the malice in it, and the confusion
 “that must grow by it, if believed; as those who were ab-
 “sent, or involv’d) would so far resent the indignity offer’d
 “to his Majesty, the dishonour to Themselves, and the mis-
 “chief to the whole Kingdom, by that Declaration; that
 “they would speedily make the foul Contrivers of it instances
 “of their exemplary Justice; and brand Them, and their
 “Doctrine, with the marks of their perpetual Scorn and In-
 “dignation.

WHILST this Answer, and Declaration of his Majesty’s
 was preparing and publishing, which was done with all
 imaginable hast, and to which they made no Reply till
 many Months after the War was begun, they proceeded in
 all their Counsels towards the lessening his Majesty both
 in Reputation, and Power; and towards the improving their
 own Interests: For the first, upon the advantage of their
 former

former Vote, of the King's Intention to Levy War against his Parliament, in the end of *May* they published Orders, "That the Sheriffs of the adjacent Counties should hinder, and make stay of all Armes and Ammunition carrying towards *Tork*, until they had given notice thereof unto the Lords and Commons; and should have receiv'd their further Direction; and that they should prevent the coming together of any Soldiers, Horse or Foot, by any Warrant of his Majesty, without their Advice or Consent: Which they did, not upon any opinion that there would be any Armes or Ammunition carrying to his Majesty, they having entirely possessed themselves of all his Stores; or that they indeed believ'd, there was any Commission or Warrant to raise Soldiers, which they well knew there was not; but that, by this means, their Agents in the Country (which many Sheriffs and Justices of Peace were; and most Constables, and Inferior Officers) might, upon this Pretence, hinder the Resorting to his Majesty, which they did with that Industry, that few Persons, who, foreseeing the design of those Orders, did not decline the great Roads, and made not pretences of Travelling to some other place, and Travell'd in any Equipage towards his Majesty, escaped without being stay'd by such watches: And most that were so stay'd, finding it to no purpose to attend the Resolution, or Justice of the Houses, who always commended the Vigilance of their Ministers, and did not expect they should be bound up by the Letter of their Orders, made shift to escape with their own Persons, and were contented to leave their Horses behind them; They who attended to be repair'd by the Justice of the Houses, finding so many delays, and those delays to be so chargeable, and themselves exposed to so many Questions, and such an Inquisition, that they thought their Liberty a great prize, whatever they left behind them.

FOR the improving their Interest, and Dependence, though they had as much of the Affection of the City as could reasonably be expected; and by their exercise of the Militia, had united them in a firm Bond, the communication of Guilt; yet they well understood their true strength consisted in the Rabble of the People; for the greatest part of the substantial, and wealthy Citizens, being not of their Party, and except some Expedient were found out, whereby they might be involv'd, and concern'd in their Prosperity or Ruin, they thought themselves not so much in truth possessed of that City, as they seem'd to be. They had heard it said, that *Edward* the Fourth of *England* recover'd the City of *London*, and by that the Kingdom, by the vast Debts that he owed there; Men looking upon the helping of Him to the Crown, as the helping Them-

Themselves to their Money, which was else desperate. Upon this ground, they had taken the first opportunity of borrowing great Sums of them, in the beginning of this Parliament; when the Richest and best Affected Men, upon a presumption that hereby the *Scots* Army would suddainly march into their own Country, and the *English* as soon be Disbanded, cheerfully furnished that Money. Upon this ground they still forbore to repay those Sums, disposing what was brought in upon the Bills of Subsidy, and other Publick Bills, to other purposes. And now, to make themselves more sure of them, they borrow'd another Sum of 100000^l. of them, upon pretence of the great Exigences of *Ireland*; which was their two-edged Sword, to lead them into the Liberty of laying what imputations, they thought most convenient for their purposes, upon the King and Queen; and to draw what Money they thought fit from the City; and serv'd them now to another important end, to raise Soldiers; but that Service it self, in order to suppressing the Rebellion there, was not, in any degree, advanced. Having, by these means, thus provided for their main Ends, they made the People believe, they were preparing Propositions to send to the King; and the People were yet so Innocent as to believe, that they would never send Propositions that were not reasonable: For though the unusual Acts which had been done by the King, as the going to the House of Commons, and demanding the Members there, had put them into as unusual apprehensions; and those, by the warmth and heat of Declarations and Answers, had drawn from them, by degrees, another kind of Language, than had before been used; yet most Men believ'd, when those Passions were disgested, and that any Propositions should be made by them (which the King had long call'd for and invited) that they could not but be such, as would open a door for that Affection, Confidence, Duty, and Trust, upon which the Peace of the Kingdom might be reasonably founded. And Propositions they did send to the King, in the beginning of *June*; which were presented to his Majesty, with great Solemnity, by their Committee resident there; which, in this place, are very necessary to be inserted in the very terms in which they were presented, as followeth:

The humble Petition, and Advice of both Houses of Parliament, with Nineteen Propositions and the Conclusion, sent unto his Majesty the second of June 1642.

The Nineteen Propositions sent to the King by both Houses June 2d. 1642.

"YOUR Majesty's most humble and faithful Subjects, the
 "Lords and Commons in Parliament, having nothing of their
 "thoughts and desires, more precious and of higher esteem,
 "next

"next to the Honour and immediate Service of God, than
 "the just and faithful performance of their Duty to your
 "Majesty, and this Kingdom: And being very sensible of
 "the great distractions and distempers, and of the Immi-
 "nent dangers and calamities, which those distractions and
 "distempers are like to bring upon your Majesty, and your
 "Subjects (all which have proceeded from the subtle in-
 "formations, mischievous Practices, and evil Counsels of
 "Men disaffected to God's true Religion; your Majesty's
 "Honour and Safety; and the Publick Peace, and Prospe-
 "rity of your People) after a serious Observation of the
 "Causes of those mischiefs, do, in all humility and sincerity,
 "present to your Majesty their most dutiful Petition and
 "Advice: That, out of your Princely Wisdom for the
 "establishing your own Honour and Safety, and gracious
 "tenderness of the Welfare and Security of your Subjects
 "and Dominions, you will be pleased to grant, and accept
 "these their humble Desires and Propositions, as the most
 "necessary and effectual means, through God's blessing, of
 "removing those Jealousies and Differences, which have
 "unhappily fallen out betwixt you and your People, and
 "procuring both your Majesty and them, a constant course
 "of Honour, Peace, and Happiness.

The Propositions.

1. "THAT the Lords and others of your Majesty's Privy
 "Council, and such great Officers and Ministers of State,
 "either at Home or beyond the Seas, may be put from
 "your Privy Council, and from those Offices and Employ-
 "ments, excepting such as shall be approved by both Houses
 "of Parliament: And that the Persons, put into the Places
 "and Employments of those that are removed, may be ap-
 "prov'd of by both Houses of Parliament: and that Privy
 "Counsellors shall take an Oath; for the due execution of
 "their Places, in such Form as shall be agreed upon by
 "both Houses of Parliament.
2. "THAT the great Affairs of the Kingdom may not be
 "concluded, or transacted by the Advice of private Men,
 "or by any unknown, or unsworn Counsellors; but that
 "such matters as concern the Publick, and are proper for
 "the High Court of Parliament, which is your Majesty's
 "great and supreme Council, may be debated, resolv'd, and
 "transacted only in Parliament, and not elsewhere: And
 "such as shall presume to do any thing to the contrary,
 "shall be reserv'd to the Censure and Judgement of Par-
 "liament: And such other Matters of State, as are proper
 "for

- "for your Majesty's Privy Council, shall be Debated and
 "concluded by such of the Nobility, and Others, as shall,
 "from time to time, be chosen for that Place, by appro-
 "bation of both Houses of Parliament: And that no pub-
 "lick Act concerning the Affairs of the Kingdom, which
 "are proper for your Privy Council, may be esteem'd of
 "any Validity, as proceeding from the Royal Authority,
 "unless it be done by the Advice and Consent of the Ma-
 "jor part of the Council, attested under their Hands: And
 "that your Council may be limited to a certain Number,
 "not exceeding twenty five, nor under fifteen; and if any
 "Counsellor's place happen to be Void in the interval of
 "Parliament, it shall not be supplied without the Assent
 "of the Major part of the Council; which choice, shall
 "be confirm'd at the next sitting of Parliament, or else to
 "be void.
3. "THAT the Lord High Steward of *England*, Lord High
 "Constable, Lord Chancellor, or Lord Keeper of the Great
 "Seal, Lord Treasurer, Lord Privy Seal, Earl Marshal,
 "Lord Admiral, Warden of the Cinque Ports, chief Go-
 "vernour of *Ireland*, Chancellor of the Exchequer, Master
 "of the Wards, Secretaries of State, two Chief Justices,
 "and Chief Baron, may always be chosen with the ap-
 "probation of both Houses of Parliament; and in the in-
 "tervals of Parliaments, by the Assent of the Major part
 "of the Council, in such manner as is before express'd
 "in the choice of Counsellors.
4. "THAT He, or They, unto whom the Government and
 "Education of the King's Children shall be committed,
 "shall be approved of by both Houses of Parliament; and,
 "in the intervals of Parliament, By the Assent of the Ma-
 "jor part of the Council, in such manner as is before ex-
 "press'd in the choice of Counsellors; And that all such
 "Servants as are now about them, against whom both
 "Houses shall have any just Exceptions, shall be removed.
5. "THAT no Marriage shall be concluded, or treated, for
 "any of the King's Children, with any Foreign Prince,
 "or other Person whatsoever, Abroad or at Home, without
 "the Consent of Parliament, under the Penalty of a Præ-
 "munire, unto such as shall conclude, or treat of any Mar-
 "riage as aforesaid: And that the said Penalty shall not be
 "pardon'd, or dispensed with, but by the Consent of both
 "Houses of Parliament.
6. "THAT the Laws in force against Jesuits, Priests, and
 "Popish Recusants, be strictly put in Execution without
 "any Toleration, or Dispensation to the contrary: And
 "that some more effectual course may be enacted, by Au-
 "thor

- “thority of Parliament, to disable them from making any
 “disturbance in the State ; or eluding the Laws by Trusts,
 “or otherwise.
7. “THAT the Votes of Popish Lords in the House of Peers
 “may be taken away, so long as they continue Papists:
 “And that your Majesty will consent to such a Bill, as
 “shall be drawn, for the Education of the Children of Pa-
 “pists, by Protestants, in the Protestant Religion.
8. “THAT your Majesty will be pleased to consent, that
 “such a Reformation be made of the Church Government,
 “and Liturgy, as both Houses of Parliament shall advise ;
 “wherein they intend to have consultations with Divines,
 “as is expressed in their Declaration to that purpose : And
 “that your Majesty will contribute your best assistance to
 “them, for the raising of a sufficient maintenance for
 “Preaching Ministers through the Kingdom : And that
 “your Majesty will be pleased to give your consent to Laws
 “for the taking away of Innovations, and Superstition, and
 “of Pluralities, and against scandalous Ministers.
9. “THAT your Majesty will be pleased to rest satisfied with
 “that course, that the Lords and Commons, have appointed,
 “for ordering of the Militia, until the same shall be further
 “settled by a Bill : And that your Majesty will recall your
 “Declarations, and Proclamations against the Ordinance
 “made by the Lords and Commons concerning it.
10. “THAT such Members of either House of Parliament,
 “as have, during this present Parliament, been put out of
 “any Place and Office, may either be restor’d to that Place
 “and Office, or otherwise have satisfaction for the same,
 “upon the Petition of that House, whereof He, or They
 “are Members.
11. “THAT all Privy Counsellors and Judges may take an
 “Oath, the Form whereof to be agreed on and settled by
 “Act of Parliament, for the maintaining of the Petition of
 “Right, and of certain Statutes made by this Parliament,
 “which shall be mention’d by both Houses of Parliament ;
 “and that an enquiry of all Breaches, and Violations of
 “those Laws, may be given in charge by the Justices of
 “the King’s Bench every Term, and by the Judges of As-
 “sise in their Circuits, and Justices of the Peace at the Ses-
 “sions, to be presented and punished according to Law.
12. “THAT all the Judges, and all the Officers, placed by
 “approbation of both Houses of Parliament may hold their
 “places *quamdiu bene se gesserint*.
13. “THAT the Justice of Parliament may pass upon all De-
 “linquents, whether they be within the Kingdom, or fled
 “out of it : And that all Persons cited by either House of
 “Par-

- “Parliament, may appear, and abide the Censure of Parliament.
14. “THAT the General Pardon, offer’d by your Majesty, may be granted with such Exceptions, as shall be advised by both Houses of Parliament.
15. “THAT the Forts, and Castles of this Kingdom, may be put under the Command and Custody of such Persons, as your Majesty shall appoint with the approbation of your Parliament; and, in the intervals of Parliament, with approbation of the Major part of the Council, in such manner as is before expressed in the choice of Counsellors.
16. “THAT the extraordinary Guards, and Military Forces now attending your Majesty, may be removed and discharged; and that, for the future, you will raise no such Guards or extraordinary Forces, but, according to the Law, in case of Actual Rebellion, or Invasion.
17. “THAT your Majesty will be pleased to enter into a more strict Alliance with the States of the *United Provinces*, and other neighbour Princes and States of the Protestant Religion, for the defence and maintenance thereof against all Designs and Attempts of the Pope, and his Adherents, to subvert and suppress it; whereby your Majesty will obtain great access of strength and reputation, and your Subjects be much encouraged and enabled, in a Parliamentary way, for your Aid, and Assistance, in restoring your Royal Sister, and her Princely Issue to those Dignities and Dominions, which belong unto them; and relieving the other distressed Protestant Princes, who have suffer’d in the same Cause.
18. “THAT your Majesty will be pleased by Act of Parliament, to clear the Lord *Kimbolton*, and the five Members of the House of Commons, in such manner that future Parliaments may be secured from the Consequence of that evil Precedent.
19. “THAT your Majesty will be graciously pleased to pass a Bill for restraining Peers made hereafter, from Sitting or Voting in Parliament, unless they be admitted thereunto with the Consent of both Houses of Parliament.
- “AND these our humble Desires being granted by your Majesty, We shall forthwith apply our selves to regulate your present Revenue, in such sort as may be for your best advantage; and likewise to settle such an ordinary, and constant increase of it, as shall be sufficient to support your Royal Dignity in Honour, and Plenty, beyond the proportion of any former Grants of the Subjects of this Kingdom to your Majesties Royal Predecessors: We shall
“like-

“likewise put the Town of *Hull* into such hands, as your Majesty shall appoint with the consent and approbation of Parliament; and deliver up a just Account of all the Magazine; and chearfully imploy the uttermost of Our power and endeavours, in the real expression, and performance of our most Dutiful and Loyal Affections, to the preserving and maintaining the Royal Honour, Greatness, and Safety of your Majesty, and your Posterity.

THE same day that these Articles of Deposition were pass'd the Houses, that his Majesty might see how unable he was like to be to contend with them, they declar'd by an Order the same day printed and carefully disperfed, “that they had receiv'd Information (and indeed their Informations were wonderful particular, from all parts beyond Sea, of whatsoever was agitated on the King's behalf; as well as from his Court, of whatsoever was design'd, or almost but thought of to himself: Besides they could pretend to receive Information of whatsoever would any way conduce to their purpose, true or false) “that the Jewels of the Crown (which, they said, by the Law of the Land ought not to be aliened) were either pawn'd or sold in *Amsterdam*, or some other parts beyond Seas; and thereby great Sums of Money provided to be return'd to *Tork*, or to some of his Majesty's Servants or Agents, for his Majesty's use: And because, they said, it was more than probable that great provision of Moneys, in such an extraordinary way, was to maintain the intended War against the Parliament; and thereby to bring the whole Kingdom into utter ruin, and combustion: It was therefore declar'd, by the Lords and Commons in Parliament, that whosoever had been, or should be, an Actor in the selling or pawning of any Jewels of the Crown; or had, or should pay, lend, send, or bring any Money in Specie into this Kingdom for, or upon, any of those Jewels; or whosoever had, or should accept of any Bill from beyond the Seas for the payment of any Sum of Money, for or upon any of those Jewels, and should pay any Sum according to such Bill, after notice of that Order, without acquainting that House with the Receipt of that Bill, before he accepted the same; or if he had already accepted any such Bill, then with the Acceptance thereof, before the payment of the Money, every such Person should be held and accounted a Promoter of that intended War, an Enemy to the State, and ought to give satisfaction for the publick damage out of his own Estate.

Order of the
two Houses
against
pawning the
Jewels of the
Crown.

UPON this confident Assumption, “that it was not in the King's power to dispose of the Jewels of the Crown; that what-
“forever

“soever Jewels were offer’d to be pawn’d or sold, by any of the King’s Ministers beyond the Seas, were the Jewels of the Crown, and no other; and that all Money, return’d from thence for his Majesty’s Service, was Money so raised and procur’d; they so much terrified Men of all Conditions, that the Queen, having, by the Sale of some of her own Jewels, and by her other Dexterity, procur’d some Money for the King’s supply, could not in a long time find any means to transmit it. However, this made no impression upon the King’s Resolution; and though it might have some influence upon Merchantly Men, yet it stirr’d up most Generous minds to an indignation on the King’s behalf; and was new Evidence, if there had wanted any, what kind of Greatness he was to expect from complying with such immodest, and extravagant Proposers.

THE King was once Resolv’d to have return’d no Answer to them upon those Propositions; but to let the People alone to judge of the unreasonableness of them, and of the Indignity offer’d to him in the delivery of them; and that was the reason of the short mention he made of them, in the close of his Declaration to theirs of the 26th of May: But he was afterwards perswaded to vouchsafe a further notice of them, there being some particulars Popular enough, and others, that, at the first View, seem’d not altogether so derogatory to him, and so inconvenient to the People, as in truth they were; and that therefore it was necessary to let the People know, that whatsoever was reasonable, and might be beneficial to the Kingdom, had been, for the most part, before offer’d by his Majesty; and should all be readily granted by him: and so to unfold the rest to them, that they might discern their own Welfare, and Security, to be as much endanger’d by those Demands, as the King’s Rights, Honour, and Dignity. So that, in a short time after he receiv’d them, he sent to the two Houses, and publish’d to the Kingdom, his Answer to those Nineteen Propositions, whereof it will be sufficient to repeat some few Particulars:

“IN which he first remember’d them of their method, they *The Substance of his Majesty’s Answer to the Nineteen Propositions.*
 “had observ’d in their Proceedings towards him: That they
 “had first totally suppress’d the known Laws of the Land,
 “and deny’d His power to be necessary to the making New,
 “reducing the whole to their own Declarations, and single
 “Votes: That they had possess’d themselves of his Maga-
 “zines, Forts, and Militia: That they had so aw’d his Sub-
 “jects with Pursuivants, long chargeable Attendance; heavy
 “Censures; illegal Imprisonments; that few of them durst
 “offer to present their tenderness of his Majesty’s Sufferings,
 “their own just Grievances, and their sense of those Viola-
 “tions.

"tions of the Law (the Birth-right of every Subject of the
 "Kingdom) though in an humble Petition to both Houses :
 "and if any did, it was stifled in the Birth ; call'd Sedition ;
 "and burn'd by the Common Hangman : That they had re-
 "strain'd the attendance of his Ordinary , and Necessary
 "Household-Servants : and seised upon those small Sums of
 "Money, which his Credit had provided to buy him Bread ;
 "with Injunctions that no Money should be suffer'd to be
 "convey'd, or return'd to his Majesty to York, or to any of
 "his Peers, or Servants with him , so that, in effect, they
 "had block'd him up in that County : That they had fill'd
 "the Ears of his People with Fears and Jealousies (though
 "taken up upon trust) Tales of Skippers, Salt-Fleets, and
 "such like ; by which Alarms they might prepare them to
 "receive such Impressions ; as might best advance their De-
 "sign, when it should be ripe. And now, it seem'd, they
 "thought his Majesty sufficiently prepar'd for those bitter
 "Pills ; that he was in a handsome posture to receive those
 "humble Desires : which, probably, were intended to make
 "way for a Superfecundation of a yet higher Nature ; for they
 "did not tell him, This was All. He said, he must observe,
 "that those Contrivers (the better to advance their true ends)
 "in those Propositions, disguised, as much as they could,
 "their Intents with a mixture of some things really to be ap-
 "prov'd by every honest Man ; others, Specious and Popu-
 "lar ; and some which were already granted by his Majesty :
 "All which were cunningly twisted, and mixed with those
 "other things of their main Design, of Ambition and private
 "Interest, in hope that, at the first View, every Eye might
 "not so clearly discern them in their proper Colours,
 "His Majesty said, if the 1, 2, 3, 4, 5, 9, 10, 15, 16, 19, De-
 "mands had been Writ, and Printed, in a Tongue unknown
 "to his Majesty and his People, it might have been possible,
 "that He, and They might have charitably believ'd the Pro-
 "positions to be such, as might have been in order to the
 "Ends pretended in the Petition ; to wit, the Establishment
 "of his Honour and Safety ; the Welfare and Security of his
 "Subjects and Dominions ; and the removing those Jealou-
 "sies and Differences, which were said to have unhappily
 "fallen betwixt his Majesty and his People ; and procuring
 "both his Majesty, and Them, a constant course of Honour,
 "Peace, and Happiness ; but being read and understood by
 "all, he could not but assure Himself, that that Profession,
 "joyn'd to those Propositions, would rather appear a Mocke-
 "ry, and a Scorn ; the Demands being such, that he were
 "unworthy the Trust reposed in him by the Law, and of his
 "Descent from so many Great and Famous Ancestors, if he

" could be brought to abandon that Power, which alone could
 " enable him to perform what he was Sworn to, in protect-
 " ing his People, and the Laws ; and so assume others into it,
 " as to desert Himself of it, although not only his present
 " Condition were more Necessitous than it was (which it
 " could hardly be) and he were both Vanquished, and a Pri-
 " soner, and in a worse Condition than ever the most unfor-
 " tunate of his Predecessors had been reduced to, by the most
 " Criminal of their Subjects ; and though the Bait laid to draw
 " him to it, and to keep his Subjects from Indignation at the
 " mention of it, the Promises of a plentiful and unparallel'd
 " Revenue, were reduced from Generals (which signify no-
 " thing) to clear and certain Particulars ; since such a bargain
 " would have but too great a resemblance of that of *Esa's*, if
 " he would part with such flowers of his Crown, as were worth
 " all the rest of the Garland, and had been transmitted to him
 " from so many Ancestors, and had been found so useful and
 " necessary for the Welfare and Security of his Subjects, for any
 " present Necessity, or for any low and sordid Considerations
 " of Wealth and Gain. And therefore, all Men knowing
 " that those Accommodations are most easily made, and most
 " exactly observed, that are grounded upon reasonable and
 " equal conditions, his Majesty had great cause to believe
 " that the Contrivers of those Propositions, had no Intention
 " of settling any firm Accommodation ; but to increase those
 " Jealousies, and widen that Division, which, not by his Ma-
 " jesty's fault, was now unhappily sown between Him and
 " both Houses.

" It was asked, that all the Lords and others of his Privy
 " Council, and such great Officers and Ministers of State,
 " either at home or beyond the Seas (for, he said, care was
 " taken to leave out no Person, or Place, that his dishonour
 " might be sure not to be bounded within this Kingdom)
 " should be put from his Privy Council, and from those Of-
 " fices and Employments, unless they should be approved by
 " both Houses of Parliament, how faithful soever his Majesty
 " had found them to Him, and to the Publick ; and how far
 " soever they had been from offending against any Law, the
 " only Rule they had, or any Others ought to have, to walk
 " by. His Majesty therefore to that part of that Demand re-
 " spond'd this Answer, That he was willing to grant, that they
 " should take a larger Oath, than they themselves desired in
 " their eleventh Demand, for maintaining not of any Party,
 " but the Whole Law. And, he said, he had, and did assure
 " them, that he would be careful to make Election of such
 " Persons in those Places of Trust, as had given good Testi-
 " monies of their Abilities and Integrity, and against whom

"there could be no just cause of Exception, whereon reason-
 "ably to ground a Diffidence: That if he had, or should be
 "mistaken in his Election, he had, and did assure them, that
 "there was no Man so near to him, in Place or Affection,
 "whom he would not leave to the Justice of the Law, if they
 "should bring a particular Charge, and sufficient Proof against
 "him: That he had given them a Triennial Parliament (the
 "best pledge of the Effects of such a Promise on His part,
 "and the best Security for the performance of their Duty on
 "Theirs) the apprehension of whose Justice, would, in all
 "probability, make Them wary how they provoked it, and
 "his Majesty wary, how he chose such as, by the discovery
 "of their faults, might in any degree seem to discredit his
 "Election; but that without any shadow of a fault objected,
 "only perhaps because they follow their Consciences, and pre-
 "serve the established Laws, and agree not in such Votes, or
 "assent not to such Bills, as some Persons, who had then too
 "great an Influence even upon both Houses, judged, or seem'd
 "to judge, to be for the publick good, and as were agreeable
 "to that new Utopia of Religion and Government, into
 "which they endeavour'd to transform this Kingdom (for, he
 "said, he remember'd what Names, and for what Reasons,
 "they left out in the Bill offer'd him concerning the Militia,
 "which they had themselves recommended in the Ordinance)
 "he would never consent to the displacing of any, whom
 "for their former Merits from, and Affection to his Majesty
 "and the Publick, he had entrusted; since, he conceived, that
 "to do so, would take away both from the Affection of his
 "Servants, and care of his Service, and the Honour of his
 "Justice: And, he said, he the more wonder'd, that it should
 "be asked by them, since it appears by the twelfth Demand,
 "that Themselves counted it reasonable, after the present
 "Turn was served, that the Judges and Officers, who were
 "then placed, might hold their Places, *quam diu se bene gesserint*: And he was Resolv'd to be as careful of those whom
 "He had chosen, as they were of those They would choose;
 "and to remove none, till they appear'd to him to have
 "otherwise behaved themselves, or should be evicted, by Legal
 "Proceedings, to have done so.

"But, his Majesty said, that Demand, as unreasonable as
 "it was, was but one Link of a great Chain, and but the first
 "Round of that Ladder, by which his Majesty's Just, Anci-
 "ent, Regal Power, was endeavour'd to be fetched down to
 "the ground; for it appeared plainly that it was not with
 "the Persons now chosen, but with his Majesty's Choosing,
 "that they were displeased. For they demanded, that the Per-
 "sons put into the Places and Employments of those, who
 "should

"should be removed, might be approv'd by both Houses;
 "which was so far from being less than the power of Nomination, that of two things, of which he would never grant
 "either, he would be sooner content, that They should Nominate, and he Approve, than They Approve and his Majesty Nominate; the meer Nomination being so far from
 "being any thing, that if he could do no more, he would
 "never take the pains to do that; when he should only hazard whom he esteem'd to the Scorn of a Refusal, if they
 "happen'd not to be agreable not only to the Judgement, but to the Passion, Interest, or Humour of the present Major part of either House: Not to speak of the great Factions, Animosities, and Divisions, which that Power would
 "introduce in both Houses, and in the several Counties for the choice of Persons to be sent to that Place, where that
 "Power was; and between the Persons that were so chosen. Neither was that strange Potion prescribed to him only for
 "once, for the Cure of a present, pressing, desperate Disease; but for a Diet to Him, and his Posterity. It was demanded, that his Counsellors, all Chief Officers both of Law
 "and State, Commanders of Forts and Castles, and all Peers hereafter made, be Approved of, that is Chosen, by Them
 "from time to time: And rather than it should ever be left to the Crown (to whom it only did, and should belong) if
 "any place fall void in the intermission of Parliament, the Major part of the approved Council was to approve them. Neither was it only demanded that his Majesty should quit
 "the Power, and Right, his Predecessors had had of appointing Persons in those Places; but for Counsellors, he was
 "to be restrain'd, as well in the Number as in the Persons; and a Power must be annexed to those Places, which their
 "Predecessors had not. And indeed, if that Power were passed to them, he said, it would not be fit He should be
 "trusted to choose those who were to be trusted as much as Himself.

"He told them, to grant their Demands in the manner they propos'd them, that all matters that concern'd the Publick, &c. should be resolv'd, and transacted only in Parliament, and such other matters of State &c. by the Privy Council so chosen, was in effect at once to depose Himself, and his Posterity. He said, many expressions in their Demands, had a greater Latitude of signification, than they
 "seem'd to have; and that it concern'd his Majesty therefore the more, that they should speak out; that both He, and his People, might either know the bottom of their Demands, or know them to be bottomless. Nothing more
 "concern'd the Publick, and was indeed more proper for the

"High Court of Parliament, than the making of Laws;
 "which not only ought there to be transacted, but could be
 "transacted no where else. But then they must admit his
 "Majesty to be a part of the Parliament; they must not (as
 "the sense was of that part of that Demand, if it had any)
 "deny the freedom of his Answer, when He had as much
 "right to reject what he thought unreasonable, as They had
 "to propose what they thought convenient, or necessary.
 "Nor was it possible his Answers, either to Bills or any
 "other Propositions, should be wholly free, if he might
 "not use the liberty, that every one of Them, and every
 "Subject took, to receive Advice (without their danger who
 "should give it) from any Person known or unknown, sworn
 "or unsworn, in those matters in which the manage of his
 "Vote is trusted, by the Law, to his own Judgement and
 "Conscience; which how best to inform was, and ever
 "should be, left likewise to Him: He said, he would always
 "with due Consideration, weigh the Advices both of his
 "Great, and Privy Council; yet he should likewise look on
 "their Advices, as Advices, not as Commands, or Imposi-
 "tions; upon Them, as his Counsellors, not as his Tutors,
 "or Guardians; and upon Himself, as their King, not as their
 "Pupil, or Ward: For, he said, whatsoever of Regality was,
 "by the modesty of Interpretation, left in his Majesty, in the
 "first part of the second Demand, as to the Parliament, was
 "taken from him, in the second part of the same, and placed
 "in that new fangled kind of Counsellors, whose power was
 "such, and so expressed by it, that in all Publick Acts con-
 "cerning the Affairs of the Kingdom, which are proper for
 "the Privy Council (for whose Advice all Publick Acts are
 "sometimes proper; though very necessary) they were de-
 "fired to be admitted joynt Patentees with his Majesty in
 "the Regality. And it was not plainly expressed, whether they
 "meant his Majesty so much as a single Vote in those Affairs;
 "but it was plain they meant him no more, at most, than a
 "single Vote in them; and no more power, than every one
 "of the rest of his fellow Counsellors.

AND so after a sharp discourse, and explanation of the un-
 reasonableness of the several Demands, or the greatest part
 of them, and the confusion that, by consenting thereunto,
 would redound to the Subject in general, as well as the dis-
 honour to his Majesty (which may be read at large by it
 self) He told them, "to all those unreasonable Demands, his
 "Answer was, *namus Leges Anglia mutari*: But renewed
 "his Promise to them, for a very punctual and strict obser-
 "vation of the known Laws established; to which purpose he
 "was willing an Oath should be framed by them, and taken
 "by

"by all his Privy Counsellors. And for any Alteration in
 "the Government of the Church; that a National Synod
 "should be call'd, to propose what should be found necessary
 "or convenient: And that for the Advancement of the Pro-
 "testant Religion against the Papists, they had not proposed
 "so much to his Majesty, as he was willing to grant, or as
 "he had himself offer'd before. He concluded with conjur-
 "ing Them, and all Men, to rest satisfy'd with the truth of
 "his Majesty's Professions, and the reality of his Intentions;
 "and not to ask such things as denied themselves: That they
 "would declare against Tumults, and punish the Authors:
 "That they would allow his Majesty his Property in his
 "Towns, Armes, and Goods; and his share in the Legisla-
 "tive Power; which would be counted in him not only
 "breach of Privilege, but Tyranny, and Subversion of Parlia-
 "ments, to deny to them: And when they should have given
 "him satisfaction upon those Persons, who had taken away
 "the One, and recall'd those Declarations (particularly that
 "of the 26th of May; and those in the point of the Militia,
 "his just Rights wherein he would no more part with, than
 "with his Crown, lest he enabled others by them to take
 "that from him) which would take away the Other; and
 "declined the beginnings of a War against his Majesty, un-
 "der pretence of His intention of making one against Them;
 "as he had never opposed the First part of the thirteenth
 "Demand, so he would be ready to Concur with them in the
 "Latter; and being then confident that the Credit of those
 "Men, who desire a general Combustion, would be so weak-
 "en'd with them, that they would not be able to do this
 "Kingdom any more hurt, he would be willing to grant his
 "General Pardon, with such Exceptions as should be thought
 "fit; and should receive much more joy in the hope of a full,
 "and constant happiness of his People in the true Religion,
 "and under the protection of the Law, by a blessed Union
 "between his Majesty and his Parliament, than in any such
 "increase of his own Revenue, how much soever beyond for-
 "mer Grants, as (when his Subjects were wealthiest) his
 "Parliament could have settled upon his Majesty.

THOUGH the King now lived at *Tork* in a much more
 Princely Condition, than he could have hoped to have done
 near *London*; and had so great a Train and Retinue of the No-
 bility and Gentry, that there was not left a fifth part of the
 House of Peers at *Westminster*, and truly I do not believe, that
 there was near a Moiety of the House of Commons who conti-
 nued there; yet his Majesty made no other use, for the present,
 of their presence with Him, and of their absence from the two
 Houses, than to have so many the more, and the more cre-

doble Witnesses of his Counsels and Carriage; and to undeceive the People by his clear Answers to all the Scandals and Reproaches which were laid on him, and by his ample professions and protestations of his sincere Zeal to Religion, and Justice; and to make it appear to them, how far the Quality and the Number of those who thought, or seem'd to think otherwise, was, from what they might imagine it to be. And it cannot be denied, but the People were every day visibly reformed in their understandings, from the Superstitious Reverence they had paid the two Houses; and grew sensible of their Duty to the King, and of those Invasions which were offer'd to his Regal Dignity.

ON the other side, the two Houses slacken'd not their pace a jot; proceeded with great and unusual sharpness against those Members who were gone to the King; Proclaiming some of them by Name "to be Enemies to the Kingdom, and, by a Formal Judgement, Sentencing Nine Peers together, "to be "incapable of sitting again in Parliament, whilst this should "continue: The House of Commons having carried up an Impeachment of Misdemeanours against them (which was as illegal in point of Justice, and as extravagant in point of Privilege, as any thing they could do) "for being absent, and "refusing to attend, upon a Summons from the House of "Peers: And upon their own Members they imposed a fine of 100l apiece, on every one who was gone to the King, and upon those, who being in other places, they thought were well affected to his Service: Yet, lest they should upon this proceeding return again, to disturb, and cross their Counsels, they provided, "that no Man upon whom that Sentence fell, "should sit again in the House (though he paid his fine) till "he had been examined by a Committee, and so given the "House satisfaction in the cause of his absence. And, by those means, they thought both to remove the Scandal, that so many Members were absent, and to prevent any inconvenience too, that might befall them by their return. For they well knew, if the Members of both Houses were obliged to a constant and strict Attendance, it would not be possible that they could compass their mischievous Designs.

THEY then they prosecuted their great Business of the Militia, not only near London, where they were in no danger of opposition, but in those Northern Counties near his Majesty, as Leicestershire, Cheshire, Lincolnshire, where whosoever refused to give Obedience to them, or published the King's Proclamation against their proceedings (for the King had yet practiced no Expedient to prevent the growth of that mischief, but the publishing his Proclamation against it) were sent for as Delinquents; and not satisfied herewith, that they might

*Propositions;
and Orders of
both Houses
for bringing
in Money
and Plate
for main-
taining
Horse &c.
June 10.
1642.*

might be as well able to Pay an Army, as they found they should be to Raise one, on the tenth of *June* (for the time will be very necessary to be remember'd, that it may be the better stated, Who took up the Defensive Armes) they published Propositions, "for the bringing in of Money or Plate to maintain Horse, Horse-men, and Armes, for the preservation of the Publick Peace, and for the defence of the King and both Houses of Parliament; the Reasons and Grounds whereof they declar'd to be the King's Intention to make War against his Parliament; That, under pretence of a Guard for his Person, he had actually begun to Levy Forces, both of Horse and Foot; and sent out Summons throughout the County of *Tork*, for the calling together of greater Numbers; and some ill affected Persons, in other parts, had been employ'd to raise Troops, under the colour of his Majesty's Service; making large offers of reward and preferment to such as would come in: That his Majesty did, with a high and forcible hand, protect, and keep away Delinquents, not permitting them to make their appearance to Answer such Affronts and Injuries, as had been by them offer'd to the Parliament; and those Messengers, which had been sent from the Houses for them, had been abused, beaten, and imprison'd, so as the Orders of Parliament, the highest Court of Justice in the Realm, were not obey'd; and the Authority of it was altogether scorn'd, and vilified; and such Persons as stood well affected to it, and declar'd themselves sensible of those Publick Calamities, and of the violations of the Privileges of Parliament, and Common Liberty of the Subject, were baffled, and injur'd by several sorts of Malignant Men, who were about the King; some whereof, under the name of Cavaliers, without having respect to the Laws of the Land, or any fear either of God or Man, were ready to commit all manner of Outrage and Violence; which must needs tend to the dissolution of the Government; the destruction of their Religion, Laws, Liberties, Properties; all which would be exposed to the Malice and Violence of such desperate Persons, as must be employ'd in so horrid and unnatural an Act, as the overthrowing of a Parliament by Force; which was the support, and preservation of them. Those particulars, they said, being duly consider'd by the Lords and Commons, and how great an obligation lay upon them, in Honour, Conscience, and Duty, according to the high Trust reposed in them to use all possible means, in such cases, to prevent so great and irrecoverable Evils, they had thought fit to publish their sense, and apprehension of that Imminent danger; thereby to excite all well affected Persons, to

"contribute

“contribute their best Assistance, according to their solemn
 “Vow and Protestation, to the Preparations necessary for
 “the opposing, and suppressing of the Trayterous Attempts
 “of those Wicked, and Malignant Counsellors, who sought to
 “engage the King, in so dangerous and destructive an enter-
 “prise, and the whole Kingdom in a Civil War; and destroy
 “the Privileges and Being of Parliaments.

“THIS recourse to the good affections of those, that ren-
 “der their Religion and just Liberties, and the enjoyment of
 “the blessed fruits of this present Parliament, which were al-
 “most ready to be reaped, and were now as ready to be
 “ruin’d by those wicked hands, being, they said, the only
 “remedy left them under God; and without which they
 “were no longer able to preserve Themselves, or Those by
 “whom they were entrusted: Therefore, they declar’d that
 “whosoever would bring in any proportion of ready Money
 “or Plate, or would underwrite to furnish and maintain any
 “number of Horse, Horse-men, and Armes, for the preser-
 “vation of the Publick Peace, and for the defence of the
 “King, and both Houses of Parliament, from Force and Vio-
 “lence, and to uphold the Power and Privileges of Parliament
 “according to his Protestation; it should be held a good and
 “acceptable Service to the Common-wealth, and a Testi-
 “mony of his good affection to the Protestant Religion, the
 “Laws, Liberties, and Peace of the Kingdom; and to the
 “Parliament, and Privileges thereof. And they further de-
 “clared, that whosoever brought in Money or Plate, or fur-
 “nish’d and maintain’d Horse, Horse-men, and Armes, upon
 “these Propositions, and to those purposes, should be repaid
 “their Money with interest of eight *per Cent*; for which they
 “did engage the Publick Faith, and they appointed the Guild-
 “Hall in *London* for the place whither this Money, or Plate,
 “should be brought; and four Aldermen of *London* to be
 “their Treasurers for the receiving the same; and likewise
 “other Confiding Men to receive, and prize such Horses and
 “Armes, as should be brought in for their Service. And
 “lastly, for their better encouragement, the Members of both
 “Houses appointed a Solemn Day to set down their own Sub-
 “scriptions; which they performed liberally.

MOST of those who abhor’d their impious Designs, not
 thinking it lawful for them to be present at such Consulta-
 tions, withdrew before the day came, or absented themselves
 then. But many had the Courage to be present, and stoutly
 to refuse what they thought they could not honestly confess
 to. *St Henry Killigrew*, who was a remarkable Enemy to all
 their devices, being call’d upon, told them, “if there were
 “occasion, he would provide a good Horse, and a good
 “Sword;

"Sword; and made no question but he should find a good Cause. But, within very few days, both He, and all those who were taken notice of for refusing, found it safest for them to leave the Town; there being very visibly great Animosity against them both within, and without the Walls. And a Gentleman of good Quality assured me afterwards, that, within few days after he had refused to Subscribe, he was privately advised by one of the other Faction, who yet retained some kindness to him, "to leave the Town, lest his Brains were beaten out by the Boys in the Streets. And many of those who too impotently desired not to be look'd upon as Refractory Persons, and had pleased themselves with Subscribing more Articulateley for the defence of the King's Person, found it afterwards necessary to supply whatsoever they had Subscribed, to be employ'd that way as was declar'd to be for the defence of the King's Person, whatsoever their intention was at first, or their opinion after. And it is hardly credible, what a vast proportion of Plate was brought in to their Treasurers within ten days; there being hardly Men enough to receive it, or Room to lay it in; and the Throng being so great of the Bringers, that, in two days attendance, many could not be discharged of their Seditious Offerings. And, the very next day after these Propositions, they further Order'd, "That there should be a strict search and examination made, "by the Justices of Peace, Mayors, Bayliffs, and Constables, "near all the Northern Roads, for the seizing all Horses for "Service in the Wars, or great Saddles, that should be carried "towards the North parts of *England*; without the Privy or "Direction of one or both Houses of Parliament; which was a great improvement of their former Order, which extended only to Armes and Ammunition; though, the truth is, the Dexterity and Spirit of their Ministers, who knew their Meaning, made the former almost as inconvenient and dangerous to Passengers, as the latter.

It was by many impatiently wonder'd at then, and, no doubt, will be more censured hereafter, that, notwithstanding all these Invasions, and breaches upon the Regal Power, and all these vast Preparations to destroy him, the King, hitherto, put not himself into a posture of Safety; or provided for the resistance of that Power, which threaten'd him; and which, he could not but know, intended whatsoever it hath since done; And though they had not yet form'd an Army, and chosen a General, yet, he well knew, they had Materials abundantly ready for the First, and particular, digested Resolutions, in the Second; which they could reduce to publick Acts, whensoever they pleased. It is very true, he did know all this, and the unspeakable hazards he run, in not preparing
against

against it. But the hazards, which presented themselves unto him on the other side, were no less Prodigious: He had a very great appearance of the Nobility; not only of those, who had from the beginning walked, and govern'd themselves by the Rules the Law prescribed, and, in that respect, were unblamable to King and People: But of Others who had passionately and peevishly (to say no worse) concurr'd in all the most violent Votes and Actions, which had been done from the beginning: For besides the Lord *Spencer* (who had been chosen their Lieutenant of *Northampton-shire*, but was recover'd to a right understanding, of which he was very capable, by his Uncle the Earl of *Southampton*) the Lord *Paget* likewise, who had contributed all his Faculties to Their Service, and to the prejudice of the King's, from before the beginning of the Parliament; had been one of their Teizers to broach those bold high Overtures Soberer Men were not, at first, willing to be seen in; and had been, as a Man most worthy to be Confided in, chosen Lord Lieutenant of one of the most Confiding Counties, the County of *Buckingham* (where he had, with great Solemnity and Pomp, executed their Ordinance, in defiance of the King's Proclamation) and had Subscribed a greater number of Horses for their Service, upon their Propositions, than any other of the same Quality; convinced in his Conscience fled from them, and besought the King's Pardon: And, for the better manifesting the tenderness of his Compunction, and the horror he had of his former Guilt, he frankly discover'd whatsoever he had known of their Counsels; and aggravated all the ill they had done, with declaring it to be done to worse and more horrid Ends, than many good Men believ'd to be possible for them to propose to themselves.

NOTWITHSTANDING, this glorious Convention was rather an Ornament to his Court, than any great Advantage to his Counsels; and the use of them more to discredit the small remainder at *Westminster*, and that the People might see the Number and Quality of the Dissenters, than that they contriv'd any thing to the active improvement of his Affairs; every Man thinking it high merit in him, that he absented himself from the Company and Place, where all the mischief was done: and that the keeping himself Negatively innocent, was as much as he ow'd his King and Country. I am willing to impute it to the drowsy and unactive Genius of the Kingdom (contracted by long ease, and quiet) which so much abhorr'd the thoughts of a Civil War, that it thought a lively and vigorous Preparation against it, was to invite it: and there were very few of all the great Lords, who did attend upon the King, who did not declare, "That the Parlia-
ment

“ment durst not in truth (whatever shews they made in hope
 “to shake his Majesty's constancy) make a War ; and if they
 “should attempt it, the People would unanimously rise for
 “the King, who would be most safe by not intending his
 “own safety. Whereas, if he rais'd Forces, the Parliament
 “would procure themselves to be believ'd, that it was to
 “overthrow Religion, and suppress the Laws, and Liberties
 “of the People. They who were of another opinion, and
 “could have spoken more reason, held it not safe to express
 “themselves but in the King's own Ear ; there being in the great
 “Council of the Peers, who, for state, were frequently As-
 “sembled, and by whom in truth the King then desir'd to have
 “transacted all things of Moment, some who were not good
 “Counsel-Keepers, and others who were look'd upon, and be-
 “liev'd to be Spies upon the rest. But that which made the
 “thought of raising Forces (whatever Arguments there were
 “for it) absolutely unreasonable, was, that the King had no
 “possibility to procure either Armes, or Munition, but from
 “*Holland* ; from whence he daily expected supply : And till that
 “arriv'd, let his Provocations and Sufferings be what they
 “could be, he was to submit and bear it patiently.

IN the mean time, for a ground of further proceeding
 upon occasion, the King desir'd the Peers in Council, to set
 down in writing the Affronts, and Violence, which had been
 offer'd to them at *London*, by which their Presence in the
 great Council of the Kingdom was render'd both unsafe, and
 dishonourable ; the which they the more willingly conde-
 scended to, for that the *London* Pamphlets already aspersed
 them, as Deserters of the Parliament, and Betrayers of the Li-
 berty of their Country : An Instrument being drawn up, and
 agreed upon between them, in which they set down “ the
 “ Tumults, and the Violence offer'd to particular Persons in
 “ those Tumults ; the Threats and Menaces of the Rabble,
 “ at the doors of the House, when they had a mind any Ex-
 “ orbitant thing should pass ; the Breach and Violation of the
 “ old Orders, and Rules of Parliament, whilst Matters were
 “ in Debate, and the resuming Matters again in a thin House ;
 “ and reversing, waving, or contradicting Resolutions made
 “ in a full House : And, lastly, Mr *Hollis's* coming to the Bar,
 “ and demanding the Names of those Lords who refused to
 “ consent to the Militia, when the multitude without, me-
 “ naced and threaten'd all those Dissenters : after which, they
 “ said “ they conceived, they could not be present there, with
 “ Honour, Freedom, or Safety ; and therefore forbore to be
 “ any more present ; and so all those Votes, Conclusions, and
 “ Declarations had passed, which had begot those Distracti-
 “ ons throughout the Kingdom. And thus they deliver'd to
 the

the King, signed under their Hands. And yet (which is a sufficient Instance how unendued Men were with that Spirit and Courage, which was requisite) the next day after the delivery, many Lords came to his Majesty, and besought him " that he would by no means publish that Paper, but keep it in " his own hands ; some of them saying, " that, if it were " published, they would disavow it : so that material and weighty Evidence, which Then might have been of Sovereign use to the King, was render'd utterly ineffectual to his Service ; his Majesty finding it necessary to engage his Princely word to them, " never to make it publick without Their consent ; which he performed most punctually ; and so, to this day, it was never divulged.

To make some little amends for this want of mettle (for it proceeded from nothing else, They being most shy in subscribing, and most passionate against publishing, who were of unquestionable Affection to his Majesty, and integrity to his Cause) and that the World might see, there was a Combination among good Men, to assist his Majesty in the defence of the Law ; as well as there was against both by Others : Upon the King's declaring himself fully in Council, where all the Peers were present, " That, as He would not require or exact any obedience from them, but what should be warranted by the known Law of the Land ; so he did expect that They would not yield to any Commands not legally grounded, or imposed by any other : That he would defend every one of them, and all such as should refuse any such Commands, whether they proceeded from Votes, and Orders of both Houses, or any other way, from all dangers and hazards whatsoever. That his Majesty would defend the true Protestant Religion, established by the Law of the Land ; the Lawful Liberties of the Subjects of England ; and just Privileges of all the Three Estates of Parliament ; and would require no further Obedience from them, than as accordingly he should perform the same : And his Majesty did further declare, that he would not, as was falsely pretended, engage them, or any of them, in any War against the Parliament ; except it were for his necessary defence, and safety, against such as did insolently invade or Attempt against his Majesty, or such as should adhere to his Majesty : All the Peers engaged themselves, " not to obey any Orders, or Commands whatsoever, not warranted by the known Laws of the Land ; and to defend his Majesty's Person, Crown, and Dignity, together with his just and Legal Prerogative, against all Persons and Power whatsoever : That they would defend the true Protestant Religion, established by the Law of the Land ; the Lawful Li-

His Majesty's
Declaration
to the Lords
attending
him at
York. June
13. 1642.

The promise
of the Lords
and others
thereupon.

" beries

"berties of the Subject of *England*; and just Privileges of
 "his Majesty, and both his Houses of Parliament: And lastly,
 "They engaged themselves not to obey any Rule, Order, or
 "Ordinance whatsoever, concerning any Militia, that had
 "not the Royal Assent:

"THIS being Subscribed by their Lordships, was, with their
 consent, immediately Printed, and carefully divulged over
 the Kingdom, bearing date at *York* the thirteenth of *June*
 1642. with the Names of the Subscribers. Two days after,
 his Majesty in Council taking notice of the Rumours spread,
 and Informations given, which might induce many to be-
 lieve, that his Majesty intended to make War against his Par-
 liament, "professed before God, and said, he declared to *His Majesty's*
 "all the World, that he always had, and did abhor all such *Declaration*
 "Designs, and desired all his Nobility and Council, who were *and professi-*
 "there upon the place, to declare, whether they had not *on of June*
 "been Witnesses of his frequent and earnest Declarations and *15. 1642.*
 "Professions to that purpose: Whether they saw any Colour *disavowing*
 "of Preparations or Counsels, that might reasonably beget a *any Intensi-*
 "belief of any such Design; and whether they were not *ons of raising*
 "fully perswaded, that his Majesty had no such Intention: *War.*
 "But that all his Endeavours, according to his many Profes-
 "sions, tended to the firm and constant Settlement of the true
 "Protestant Religion; the just Privileges of Parliament; the
 "Liberty of the Subject; the Law, Peace, and Prosperity of
 "this Kingdom:

WHEREUPON all the Lords, and Counsellors present,
 unanimously agreed, and did sign a Paper in these words:

"WE, whose Names are under written, in Obedience to *The Decla-*
 "his Majesty's desire, and out of the Duty which we owe *ration; and*
 "to his Majesty's Honour, and to Truth, being here upon *Profession of*
 "the place, and Witnesses of his Majesty's frequent, and *the Lords*
 "earnest Declarations and Professions of his abhorring all *and Coun-*
 "Designs of making War upon his Parliament; and not see- *sellors to the*
 "ing any colour of Preparations or Counsels, that might *same effect.*
 "reasonably beget the belief of any such Designs, do profess
 "before God, and testify to all the World, that we are fully
 "perswaded that his Majesty hath no such intention: But
 "that all his Endeavours tend to the firm and constant settle-
 "ment of the true Protestant Religion; the just Privileges of
 "Parliament; the Liberty of the Subject; the Law, Peace,
 "and Prosperity of this Kingdom. Which Testimony, and
 Declaration was Subscribed by

Lord

Lord <i>Liulston</i> Lord Keeper.	Duke of <i>Richmond</i> .	Earl of <i>Lincolny</i> .
Marquis of <i>Winstford</i> .	Earl of <i>Cumberland</i> .	Earl of <i>Bath</i> .
Earl of <i>Southampton</i> .	Earl of <i>Salisbury</i> .	Earl of <i>Dorset</i> .
Earl of <i>Devonshire</i> .	Earl of <i>Cambridge</i> .	Earl of <i>Northampton</i> .
Earl of <i>Clare</i> .	Earl of <i>Westmoreland</i> .	Earl of <i>Bristol</i> .
Earl of <i>Montmouth</i> .	Earl <i>Rivers</i> .	Earl of <i>Berkshire</i> .
Earl of <i>Carmarvan</i> .	Earl of <i>Newport</i> .	Earl of <i>Dover</i> .
Lord <i>Willoughby</i> of <i>Esby</i> .	Lord <i>Grey</i> of <i>Rathm</i> .	Lord <i>Montbray</i> , and <i>Matruera</i> .
Lord <i>Newark</i> .	Lord <i>Pevels</i> .	Lord <i>Howard</i> of <i>Charlton</i> .
Lord <i>Rich</i> .	Lord <i>Savil</i> .	Lord <i>Levelace</i> .
Lord <i>Covenry</i> .	Lord <i>Dunsmore</i> .	Lord <i>Molton</i> .
Lord <i>Capel</i> .		Lord <i>Seymour</i> .
Lord <i>Falkland</i> .	St <i>P. Wich</i> Controller.	Secretary <i>Nicholas</i> .
	St <i>J. Colepepper</i> Chan. Exch.	Lord Chief Justice <i>Banks</i> .

THIS Testimony of the Lords and Counsellors was immediately printed, and published, together with a Declaration of his Majesty's ; in which he said,

His Majesty's Declaration there upon.

"THAT though he had, in the last seven Months, met with so many several encounters of strange and unusual Declarations, under the Name of both his Houses of Parliament, that he should not be amazed at any new Prodigy of that kind; and though their last of the 26th of May gave him a fair warning, that the Contrivers of it having spent all their stock of bitter and reproachful Language upon him, he was now to expect they should break out into some bold, and disloyal Actions against him: And, having by that Declaration, as far as in them lay, devested his Majesty of that Preeminence and Authority, which God, the Law, the Custom and Consent of this Nation had placed in him, and assumed it to Themselves, that they should likewise, with expedition, put forth the fruits of that Supreme Power, for the violating, and suppressing the other which they despised (an effect of which resolution, he said, their Declaration against his Proclamation concerning the pretended Ordinance for the Militia, and their punishing of the Proclaimers appeared to be) yet, he must confess, in their last Attempt (he said, he spoke of the last he knew; they might probably since, or at that present, have outdone That too) they had outdone what his Majesty had conceiv'd was their present intention. And whosoever heard of Propositions, and Orders, for the bringing in of Money or Plate to maintain Horse, and Horse-men, and Armes, for the preservation of the Publick Peace, or for the Defence of the King and both Houses of Parliament (such was their Declaration, or what they please to call it, of the tenth of June) would surely believe the Peace of the Kingdom to be extremely shaken;

“and at least, the King himself to be consulted with, and
 “privy to those Propositions. But, he said, he hoped, that
 “when his good Subjects should find, that that goodly Pre-
 “tence of defending the King, was but a specious bait to se-
 “duce weak, and inconsiderate Men into the highest Acts of
 “disobedience and disloyalty against his Majesty, and of vio-
 “lence and destruction upon the Laws and Constitutions of
 “the Kingdom, they would no longer be captivated by an
 “implicit reverence to the Name of both Houses of Parlia-
 “ment; but would carefully examine, and consider what Num-
 “ber of Persons were present; and What persons were pre-
 “valent in those Consultations; and how the Debates were
 “probably managed, from whence such horrid and monstrous
 “Conclusions did result; and would at least weigh the Repu-
 “tation, Wisdom, and Affection of those, who were noto-
 “riously known out of the very horror of their Proceedings
 “to have withdrawn themselves; or, by their skill and vio-
 “lence to be driven from Them, and their Councils.

“His Majesty said, whilst their Fears and Jealousies did
 “arise, or were infused into the People, from discourses of the
 “Rebels in *Ireland*, of Skippers at *Rotterdam*, of Forces from
 “*Denmark*, *France*, or *Spain* (how improbable and ridicu-
 “lous soever that bundle of Information appear’d to all wise;
 “and knowing Men) it was no wonder if the easiness to de-
 “ceive, and the willingness to be deceiv’d, did prevail over
 “many of his weak Subjects to believe, that the dangers;
 “which they did not see, might proceed from causes which
 “they did not understand: But for them to declare to all the
 “world, that his Majesty intended to make War against his
 “Parliament (whilst he sat still complaining to God Almighty
 “of the injury offer’d to Him, and to the very Being of Par-
 “liaments) and that he had already begun actually to levy
 “Forces both of Horse and Foot (whilst he had only, in a
 “legal way, provided a smaller Guard for the security of his
 “own Person so near a Rebellion at *Hull*, than They had,
 “without Lawful Authority, above these eight Months, upon
 “imaginary and impossible dangers) to impose upon his Peo-
 “ples Sense, as well as their Understanding, by telling them
 “his Majesty was doing that which they saw he was not do-
 “ing, and intending that, they all knew, as much as Inten-
 “tions could be known, he was not intending, was a boldness
 “agreeable to no power but the Omnipotency of those Votes;
 “whose absolute Supremacy had almost brought confusion
 “upon the King and People; and against which no know-
 “ledge in matter of Fact, or Consent and Authority in mat-
 “ter of Law, they would endure should be opposed.

“His Majesty said, he had, upon all occasions, with all
 “possible

" possible expressions, professed his firm and unshaken resolu-
 " tions for Peace. And, he said, he did again, in the pre-
 " sence of Almighty God, his Maker and Redeemer, assure
 " the world, that he had no more thought of making War
 " against his Parliament, than against his own Children: That
 " he would observe, and maintain the Acts assented to by him
 " this Parliament without violation; of which, That for the
 " frequent Assembling of Parliaments was one: And that he
 " had not, nor would have, any thought of using any Force;
 " unless he should be driven to it, for the security of his Per-
 " son, and for the defence of the Religion, Laws, and Liberty
 " of the Kingdom, and the just Rights and Privileges of Par-
 " liament: And therefore he hoped the Malignant Party, who
 " had so much despised his Person, and usurped his Office,
 " should not, by their specious fraudulent insinuations, pre-
 " vail with his good Subjects to give credit to their wicked
 " Assertions; and so to contribute their Power, and Assistance
 " for the ruin and destruction of Themselves, and his Ma-
 " jesty.

" FOR the Guard about his Person (which, he said, not so
 " much their Example, as their Provocation had enforced him
 " to take) it was known it consisted of the prime Gentry, in
 " fortune and reputation, of that Country; and of One Re-
 " giment of Train'd-bands; who had been so far from offering
 " any Affronts, Injuries, or Disturbance to any of his good
 " Subjects, that their principal End was to prevent such; and
 " so, might be Security, could be no Grievance to his People.
 " That some ill affected Persons, or any Persons, had been
 " employed in other parts to raise Troops, under colour of his
 " Majesty's Service; or that such had made large, or any, of-
 " fers of reward, and preferment to such as would come in,
 " which had been alledged by them, was, he said, for ought
 " he knew, or believ'd, an untruth devised by the Contrivers
 " of that false Rumour. His Majesty disavow'd it, and said
 " he was confident there would be no need of any such Art,
 " or Industry, to induce his loving Subjects, when they should
 " see his Majesty oppressed, and their Liberties and Laws con-
 " founded (and till Then he would not call on them) to come
 " in to him, and to assist him.

" FOR the Delinquents, whom his Majesty was said with
 " a high and forcible hand to protect, he wished they might
 " be named, and their Delinquency: And if his Majesty gave
 " not satisfaction to Justice, when he should have receiv'd sa-
 " tisfaction concerning *St John Hotham* by his legal Trial,
 " Then let him be blamed. But if the design were, as it was
 " well known to be, after his Majesty had been driven by
 " force from his City of *London*, and kept by force from his

" Town of *Hull*, to protect all those who were Delinquents
 " against him, and to make all those Delinquents who attended
 " on him, or executed his Lawful Commands, he said, he
 " had great reason to be satisfied in the truth and justice of
 " such Accusation, left to be his Majesty's Servant, and to be
 " a Delinquent, grew to be Terms so convertible, that, in a
 " short time, he were left as naked in Attendance, as they
 " would have him in Power; and so compel him to be waited
 " upon only by such whom They should appoint, and allow;
 " and in whose presence he should be more miserably alone,
 " than in desolation it self. And if the seditious Contrivers
 " and Fomenters of that Scandal upon his Majesty, should
 " have, as they had had, the power to mislead the Major part
 " present of either or both Houses to make such Orders, and
 " send such Messages and Messengers, as they had lately done,
 " for the apprehension of the great Earls and Barons of Eng-
 " land, as if they were Rogues or Felons; and whereby Per-
 " sons of Honour and Quality were made Delinquents, meer-
 " ly for attending upon his Majesty and upon his Summons;
 " whilst other Men were forbid to come near him, though
 " oblig'd by the duty of their Place and Oaths, upon his Law-
 " ful Commands: It was no wonder if such Messengers were
 " not very well intreated: and such Orders not well obey'd;
 " neither could there be a surer, or a cunninger way found
 " out to render the Authority of both Houses scorn'd and vi-
 " lified, than to assume to themselves (meerly upon the Au-
 " thority of the Name of Parliament) a Power monstrous to
 " all understandings; and to do Actions, and to make Or-
 " ders, evidently and demonstrably contrary to all known Law,
 " and Reason (as to take up Armes against his Majesty under
 " colour of defending him; to cause Money to be brought in
 " to Them, and to forbid his own Money to be paid to his
 " Majesty, or to his use, under colour that he would employ
 " it ill; to beat him, and starve him for his own Good, and
 " by His Power and Authority) which would in short time
 " make the greatest Court, and greatest Person, cheap and of
 " no estimation.

" Were those sensible Men were of the publick Calamities,
 " of the violations of the Privileges of Parliament, and the
 " Common Liberty of the Subject, who had been baffled, and
 " injured by Malignant Men, and Cavaliers about his Majesty,
 " his Majesty said, he could not imagine. And if those Ca-
 " valiers were so much without the fear of God and Man, and
 " so ready to commit all manner of outrage and violence, as
 " was pretended, his Majesty's Government ought to be the
 " more esteem'd, which had kept them from doing so; inso-
 " much as he believ'd, no Person had cause to complain of any

"injury, or of any damage, in the least degree, by any Man
 "about his Majesty, or who had offer'd his Service to him:
 "All which being, he said, duly consider'd, if the Contrivers
 "of those Propositions and Orders had been truly sensible of
 "the obligations, which lay upon them in Honour, Con-
 "science, and Duty, according to the high Trust reposed in
 "them by his Majesty, and his People, they would not have
 "published such a sense and apprehension of Imminent dan-
 "ger, when themselves, in their Consciences, knew that the
 "greatest, and indeed only danger, which threaten'd the
 "Church and State, the blessed Religion and Liberty of his
 "People, was in their own desperate and seditious Designs;
 "and would not have endeavour'd, upon such weak and
 "groundless Reasons, to seduce his good Subjects from their
 "Affection and Loyalty to him, to run themselves into Actions
 "unwarrantable, and destructive to the Peace and Foundation
 "of the Common-wealth.

"AND that all his loving Subjects might see, how causeless
 "and groundless that scandalous Rumour, and Imputation of
 "his Majesty's raising War upon his Parliament, was, he had,
 "with that his Declaration, caused to be printed the Testi-
 "mony of those Lords, and other Persons of his Council, who
 "were there with him; who, being upon the place, could
 "not but discover such his Intentions and Preparations; and
 "could not be suspected for their Honours and Interests to
 "combine in such mischievous, and horrid resolutions.

"AND therefore, his Majesty said, he streightly charged
 "and commanded all his loving Subjects, upon their Alle-
 "giance, and as they would Answer the contrary at their
 "Perils, that they should yield no obedience, or consent to
 "the said Propositions and Orders; and that they presume not
 "under any such Pretences, or by colour of any such Orders,
 "to raise or levy any Horse or Men, or to bring in any Mo-
 "ney or Plate to such purpose. But he said, if notwithstanding
 "that clear Declaration, and Evidence of his intentions,
 "those Men (whose design it was to compel his Majesty to
 "raise War upon his Parliament; which all their skill and
 "malice should never be able to effect) should think fit, by
 "those Alarms, to awaken him to a more necessary care of the
 "defence of Himself, and his People; and should Themselves,
 "under colour of Defence, in so unheard of a manner provide
 "(and seduce others to do so too) to Offend his Majesty,
 "having given him so lively a Testimony of their Affections,
 "what they were willing to do, when they should once have
 "made themselves Able; all his good Subjects would think it
 "necessary for his Majesty to look to Himself. And he did
 "therefore excite all his well affected People, according to
 "their

“their Oaths of Allegiance, and Supremacy, and according
 “to their solemn Vow, and Protestation (whereby they were
 “oblig’d to defend his Person, Honour, and Estate) to con-
 “tribute their best Assistance to the Preparations necessary for
 “the opposing, and suppressing of the Trayterous Attempts of
 “such wicked and malignant Persons; who would destroy his
 “Person, Honour, and Estate, and engage the whole King-
 “dom in a Civil War, to satisfy their own lawless Fury and
 “Ambition; and so rob his good Subjects of the blessed fruit
 “of this present Parliament; which they already in some de-
 “gree had, and might still reap, to the abundant satisfaction
 “and joy of the whole Kingdom, if such wicked hands were
 “not ready to ruin all their possessions, and frustrate all their
 “hopes. And, in that case, his Majesty declar’d, that who-
 “soever, of what Degree or Quality soever, should then, upon
 “so urgent and visible necessity of His, and such apparent
 “distractiō of the Kingdom, caused, and begotten by the
 “malice and contrivance of that Malignant Party, bring in to
 “his Majesty, and to his use, ready Money, or Plate; or
 “should underwrite to furnish any Number of Horse, Horse-
 “men, and Armes, for the preservation of the Publick Peace
 “and defence of his Person, and the vindication of the Privi-
 “lege and Freedom of Parliament, he would receive it as a
 “most acceptable Service, and as a Testimony of his singular
 “Affection to the Protestant Religion, the Laws, Liberties,
 “and Peace of the Kingdom; and would no longer desire the
 “continuance of that Affection, than he would be ready to
 “justify, and maintain the other with the hazard of his Life.

AND so concluded with the same Overtures they had
 done, in their Propositions for the Loane of Money at in-
 terest; “offering, for the security thereof, an Assurance of
 “such his Lands, Forrests, Parks, and Houses, as should be
 “sufficient for the same; a more real security, he said, than
 “the Name of Publick Faith, given without him, and against
 “him; as if his Majesty were not part of the Publick; And
 “besides, he would always look upon it as a Service most af-
 “fectionately, and seasonably perform’d for the preservation
 “of his Majesty, and the Kingdom. But, he said, he should
 “be much gladder that their submission to those his Com-
 “mands, and their desisting from any such Attempt of raising
 “Horse or Men, might ease all his good Subjects of that
 “Charge, Trouble, and Vexation.

It will be wonder’d at hereafter, when, by what hath been
 said, the Number and Quality of the Peers is consider’d,
 who, by absenting themselves from the House, and their re-
 sort to his Majesty, sufficiently declared, that they liked not
 those Conclusions which begot those Distractiōs; why both

those Peers and likewise such Members of the Commons who then, and afterwards appeared in the King's Service, and were indeed full, or very near one Moiety of that House, did not rather, by their diligent and faithful Attendance in the Houses, according to their several Trusts reposed in them, discountenance and resist those pernicious and fatal Transactions, than, by withdrawing themselves from their proper Stations, leave the other (whose ruinous Intentions were sufficiently discover'd) possessed of the Reputation, Authority, and Power of a Parliament; by which, it was evident, the People would be easily, to a great degree, seduced. And though the observing Reader may, upon the collection of the several passages here set down, be able to answer those objections to himself; I am the rather induced, in this place, to apply myself to the clearing that Point, because not only many Honest Men, who, at a distance, have consider'd it, without being Privy to the passages within the Walls, and those breaches which fatally destroyed, and took away the Liberty and Freedom of those Councils, have been really troubled or unsatisfy'd with that Desertion, as they call it, of the Service to which they were incumbent, and chosen; but that I have heard some, who were the chief, if not the sole Promoters of those Violations, and the most violent Designs, and have since (out of the Ruptures, which have proceeded from their own Animosities) either been, or been thought to be, more moderately inclined, complain, "that the withdrawing of so many Members from the two Houses, was the principal Cause of all Calamities. And they who have been the true Authors of them, and still continue the same Men, have taken pains to make, and declare the others "Deserters of their Country, and Betrayers of their Trusts, by their Voluntary "withdrawing themselves from that Council.

IN the doing whereof, I shall not, I cannot, make any excuse for those (of whom somewhat is before spoken) who, from the beginning of this Parliament, and in the whole progress of it, either out of laziness, or negligence, or incogitancy, or weariness, forbore to give their Attendance there, when the Number of those who really intended these prodigious Alterations was very inconsiderable; and daily drew many to their opinions, upon no other ground than that the Number of the Dissenters appeared not equally diligent, and intent upon their Assertions: Neither can I excuse the Peers, the moderate part whereof being Four for One, suffer'd themselves to be couzen'd, and perswaded, and threaten'd out of their Rights by a handful of Men, whom they might, in the beginning, easily have crush'd; whereas in the House of Commons the great Managers were Men of notable Parts, much Reputation,

Reputation, admirable Dexterity; Pretenders to severe justice, and regularity; and then the Number of the weak, and the wild, who naturally were to be guided by them, always made up a Major part; so that, from the beginning, they were always able to carry whatsoever they set their Hearts visibly upon; at least, to discredit, or disgrace any particular Man against whom they thought necessary to proceed, albeit of the most nobleminded Reputation, and upon the most frivolous suggestions; so that they could not but be very formidable, in that House, to all but the most abstracted Men from all vulgar Considerations.

BUT, I am confident, whosoever diligently revolves the several passages in both Houses, from the time of the publishing the first Remonstrance, upon his Majesty's Return from Scotland, to the time of which we last speak, must be of opinion, that the resorting of so many Members then to his Majesty (from whom all the Lords, and some of the Commons, receiv'd Commands to that purpose) or to such places, where they thought they might be of greatest use to his Majesty in preservation of the Peace of the Kingdom, was not only an Act of Duty, but of such Prudence and Discretion, as Sober and Honest Men were to be guided by. In the House of Peers, the Bishops, who had as much Right to sit there, and were as much Members of Parliament as any Lord there, were first, by direct Violence and Force, a great part of them, driven off and kept from thence, till the Bill for the total Expulsion of the whole Order from those Seats, was passed; such of the Peers, who were most remarkable for adhering to the Government of the Church, being, in the mean time, threaten'd publicly by the Rabble; and some of their Persons Assaulted. The business of the Militia had been twice, upon a solemn Debate in a full House, rejected there; till such Force and Violence was brought to the very doors, such Expostulations and Threats deliver'd within the doors against those who refused to Concur with them in that business, that no Man had reason to believe his Life out of danger from those rude hands, who was taken notice of for an Opposer of their unreasonable desires; some of them having been declar'd Enemies to their Country, for having refused what was in their power lawfully to refuse; and others having been Criminally accused by the Commons, for words spoken by them in Debates of the House of Peers; after which many of them were sent for, by special Letters, to attend his Majesty (which Letters were always thought to be a good, and warrantable, and sufficient ground to be absent from the House; nor had such Summons, from the beginning of Parliaments to this present, ever been neglected) with whom they had, not been

many weeks, but two of them, as hath been mention'd before, upon an untrue and extravagant information, without further examination, were declar'd Enemies to the Kingdom; and nine others by solemn judgement, upon an Impeachment brought up by the Commons against them, only for being absent, and for what only concern'd the Privilege and Jurisdiction of the Peers, were disabled to sit in the House again during this Session; so that, if they would have returned, they were actually excluded that Council.

IN the House of Commons, the case was worse: First, they who had, with that Liberty which is essential to Parliaments, and according to their understandings, dissented or declar'd a dislike of what the Violent Party so vehemently pursued, were, as hath been said before, declar'd Enemies to their Country; and their Names posted up in Paper, or Parchment, at most eminent places, under some opprobrious Character; which, though it was not avow'd, and had no Authority from the House by any Publick Act; yet, being complain'd of, was neither redress'd, nor was the complaint so countenanced, that it could be concluded the Violation was unacceptable: so, though the Tumults were not directly summon'd or assembled, it is evident, by what hath been before set forth truly and at large, that they found there visible countenance, and encouragement.

THEN; what had been, upon full and solemn Debates in a full House; rejected, was many times, in a thin House, and at unusual and unparliamentary Hours, resum'd, and determin'd contrary to the former Conclusions: Yet Men satisfied themselves with doing what they thought their Duty, and reasonably opposing what the Major part order'd to be done; hoping that Men's understandings would be shortly better inform'd; and that though high and irreverent Expressions and Words were sometimes used against the King, there would be abstaining from unlawful and dangerous Actions; and that the House of Peers, at least, would never be brought to join, or concur in any Act prejudicial to the Sovereign Power. But when they saw a new way found out by the dexterity of the Major part in the House of Commons, to make the Minor part of the Lords too hard for the Major; and so, whilst all Men were transported with jealousy of the breach of Privilege of Parliament by the King; that there was, by the Houses themselves, an absolute rooting up of all Privileges: That from Metaphysical Considerations, what might be done in case of necessity, the Militia of the Kingdom was Actually seized on; and put under a Command contrary to, and against the King's Command: That there was then a Resolution taken, by those who could Act their Resolutions when they pleased,

pleased, to make a General, and to oblige all the Members to live and dye with that General; which will be anon more particularly mention'd (for that Resolution was well known before the time that those many Members removed to *York*, and withdrew to other places; and was executed within three or four days after) Men thought it high time to look to their innocence, and (since by the Course and Orders of that House, they could leave no Monument or Evidence of their Dissenting, as the Lords might, by their Protestations upon any unlawful Act, or Resolution) to declare their dislike of what was done, by not being present at the doing: And it was reasonably thought, there being no other way peaceably and securely to do it, that the Kingdom, understanding the Number of those that were present at such new Transactions, and weighing the Quality, Number, and Reputation of those who were absent, would be best induced to prefer the old Laws of the Kingdom, before the new Votes (destructive to those Laws) of those few Men, who called themselves the two Houses of Parliament; and that it would prove a good Expedient to work upon the Consciences, and modesty of those who stay'd behind, to conclude it necessary, by some fair Address to his Majesty, to endeavour such a general good understanding; that a perfect Union might be made; and the Privilege, Dignity, and Security of Parliament, be established according to the true, and just Constitution of it.

It is true, how reasonably soever it might be expected, it produced not that Ingenuity; but they who had been troubled with the company of them that afterwards withdrew, and, by the opposition they made, could not make that expedition in the mischief they intended, were glad they were rid of them; yet, shortly, considering what influence indeed it might have upon understanding Men, they found a way to cast a reproach upon those who were absent, and yet to prevent any inconvenience to themselves by their return; publishing an Order, "that all the Members absent should appear at such a day, under the Penalty of paying each 100^{*l*} Fine for his absence; and whosoever did not appear at that day (which gave not time enough to any who were at a distance) "should not presume to sit in the House, before he had paid his Fine, and satisfied the House with the cause of his absence; So that all those who were with the King, and very many more, who had really withdrawn themselves to refresh their minds, or upon necessary Affairs of their own, with a purpose to return, clearly discern'd themselves excluded from sitting any more there; it being sufficiently manifest, that the Cause of their absence would never be approv'd, if their Persons were disliked, and their Opinions disapproved:

Which

Which appeared quickly; for the day was no sooner past, but they, without the least warrant of Precedent or colour of Right, expell'd very many, sometimes twenty a day, not only of those who were with the King, but of others who had given them equal distast; and order'd new Writs to issue out to choose other Members in their Rooms.

It cannot be denied but some very honest and entire Men stay'd still there, and opposed all their unjustifiable proceedings with great Courage, and much liberty of Speech; which was more frankly permitted to them than had been before, when the Number of the Dissenters was greater; and it may be these are still some who satisfy themselves that they have perform'd their Duty, by always having denied so give their consent to whatsoever hath been seditiously, or illegally concluded. But I must Appeal to the Conscience of those very Men, whether they have not been many times, by staying there, compell'd, or terrified to do, and submit to many Acts contrary to their Conscience, in cases of Conscience; and contrary to their Judgement and Knowledge, in matters of Law, and Right; and contrary to their Oaths and Duties, in matters of Allegiance; and whether if they had refused so to do, they should not have been plunder'd, expell'd, and committed to Prison? And then they cannot be thought to have proceeded unreasonably, who, to preserve their Innocence, and their Liberty, chose to undergo all the other Censures and Difficulties which could befall them, and which have been since plentifully pour'd upon them. But to return.

THE King had at this time call'd to him some Judges, and Lawyers of Eminency; by whose Advice he published a Declaration concerning the Militia, and asserted "the Right "of the Crown in granting Commissions of Array, for the "better ordering and governing thereof; and, at the same time, issued out those Commissions to all Counties, "expressly forbidding any Obedience to be given to the Ordinance "for the Militia by both Houses, under the penalty of High "Treason. This only improv'd the Paper-combate in Declarations; either Party insisting, "that the Law was on their "side; and the People giving Obedience to either, according to their conveniences: And many did believe, that if the King had resorted to the old known way of Lord Lieutenants, and Deputy Lieutenants, his Service would have been better carried on; the Commission of Array being a thing they had not before heard of, though founded upon an Ancient Act of Parliament in the Reign of Hen. iv. and so was received with jealousy, and easily discredited by the glosses and suggestions of the Houses.

BESIDES that some Men of very good Affections to the Crown,

Crown, and averſe enough to the extravagant pretences and proceedings of the Parliament, did not conceal their prejudice to the Commiſſion of Array, as not warranted by Law; which did very much work upon other Men, and made the Obedience leſs chearful that was given to that Service. Mr *Selden* had, in the Debate upon that Subject in the Houſe of Commons, declar'd himſelf very poſitively, and with much ſharpneſs againſt the Commiſſion of Array, as a thing expreſſly without any Authority of Law; the Statute upon which it was grounded being, as he ſaid, repeal'd; and diſcourſed very much of the ill Conſequences, which might reſult from ſubmitting to it: He answer'd the Arguments which had been uſed to ſupport it; and eaſily prevail'd with the Houſe not to like a proceeding, which they knew was intended to do them hurt, and to leſſen their Authority. But his Authority and Reputation prevail'd much further than the Houſe, and brought a prejudice againſt it in many well affected Men without doors: When the King was inform'd of it, he was much troubled, having looked upon Mr *Selden* as well diſpoſed to his Service. And the Lord *Parkland*, with his Maſteſty's leave, writ a friendly Letter to Mr *Selden*, "to know his reaſon, why, in ſuch a conjuncture, whatever his Opinion were, he would oppoſe the ſubmiſſion to the Commiſſion of Array, which no body could deny to have had it's original from Law, and which many Learned Men ſtill believed to be very Legal, to make way for the eſtabliſhment of an Ordinance, which had no manner of pretence to Right. He Answer'd this Letter very frankly; as a Man who believed himſelf in the right upon the Commiſſion of Array, and that the Arguments he had uſed againſt it could not be Answer'd; ſumming up ſome of thoſe Arguments in as few words as they could be comprehended in: But then he did as frankly inveigh againſt the Ordinance for the Militia, "which, he ſaid, was without any ſhadow of Law or pretence of Precedent, and moſt destructive to the Government of the Kingdom: And he did acknowledge, that he had been the more inclin'd to make that diſcourſe in the Houſe againſt the Commiſſion, that he might with the more freedom argue againſt the Ordinance; which was to be conſider'd upon a day then appointed: And was moſt confident, that he ſhould likewiſe overthrow the Ordinance: which, he confeſſed, could be leſs ſupported, and he did believe, that it would be much better, if both were rejected, than if either of them ſhould ſtand, and remain uncontrouled. But his confidence deceived him; and he quickly found, that they who ſuffer'd themſelves to be intirely govern'd by his Reaſon, when thoſe Concluſions reſulted from it which contributed to their own deſigns,

designs, would not be at all guided by it, or submit to it, when it perswaded that which contradicted, and would disappoint those designs: And so, upon the day appointed for the Debate of their Ordinance, when he applied all his Faculties to the convincing them of the illegality and monstrousness of it, by Arguments at least as clear and demonstrable as his former had been, they made no impression upon them; but were easily Answer'd by those who with most Passion insisted upon their own sense. He had satisfied them very well, when he Concurr'd with them in Judgement; but his Reasons were weak, when they crossed their Resolutions. So most Men are deceiv'd in being too reasonable; concluding that Reason will prevail upon those Men to submit to what is Right and Just, who have no other consideration of Right or Justice, but as it advances their Interest, or complies with their Humour, and Passion. And so easy it hath always been to do harm, and to mislead Men, and so hard to do good, and reduce them, to Reason.

The Parliament's Declaration to the City upon a Letter from the King to the L. Mayor, and Aldermen.

THESE Paper-skirmishes left neither side better inclin'd to the other; but, by sharpening each other, drew the matter nearer to an issue. The King had written a Letter to the Mayor and Aldermen of *London*, and to the Masters and Wardens of each Company; by which, "he assured them, of his desire of the Peace of the Kingdom; and therefore requir'd them, as they tender'd their Charter of the City, and their own particular Welfares, not to bring in Horles, Money, or Plate, upon the Propositions of the Houses; whereby, under pretence of raising a Guard for the Parliament, Forces would be levy'd, and, in truth, imploy'd against his Majesty: Of which the Houses taking notice, publish'd a Declaration to the City, "That they could not be secur'd by his Majesty's Protestations, that his desires, and purposes were for the Publick Peace; since it appear'd, by divers expressions, and proceedings of his Majesty, that he intended to use Force against those who submitted to the Ordinance of the Militia; and that he had likewise some intention of making an Attempt upon *Hull*. In both which Cases, they did declare, that whatsoever Violence should be used, either against those who exercise the Militia, or against *Hull*, They could not but believe it as done against the Parliament. They told them, that the dangerous, and mischievous intentions of some about his Majesty were such, that whatsoever was most precious to Men of Conscience and Honour, as Religion, Liberty, and Publick Safety, were like to be overwhelm'd and lost in the general Confusion and Calamity of the Kingdom; which would not only quash, but overthrow the Charter of the City of *London*, &c.

“ the Citizens, their Wives and Children, to violence and
 “ villany ; and leave the Wealth of that famous City as a
 “ Prey to those desperate, and necessitous Persons : And there-
 “ fore they forbid all the Officers to publish that Paper, as
 “ they would answer their Contempt to the Parliament ; by
 “ the Power and Authority of which, they assur’d them, they
 “ should be protected, and secured in their Persons, Liber-
 “ ties, and Estates, for whatsoever they should do by Their
 “ advice or perswasion.

To this the King replied, “ That he wonder’d since they *The King’s*
 “ had usurped the supreme Power to themselves, they had not *Reply.*
 “ taken upon them the Supreme Style too ; and directed their
 “ very new Declaration to their Trusty and Well-beloved,
 “ their Subjects of the City of *London* : For it was too great
 “ and palpable a Scorn, to perswade them to take up Arms
 “ against his Person, under Colour of being loving Subjects
 “ to his Office ; and to destroy his Person, that they might
 “ preserve the King : That he was beholding to them, that
 “ they had explain’d to all his good Subjects the meaning of
 “ their Charge against his Majesty, that by his intention of
 “ making War against his Parliament, no more was pretended
 “ to be meant, but his resolution not to submit to the high In-
 “ justice and Indignity of the Ordinance for the Militia, and
 “ the business of *Hull*. He said, he had never conceal’d his
 “ intentions in either of those Particulars (he wish’d They
 “ would deal as clearly with Him) but had always, and did
 “ now declare, That that pretended Ordinance was against the
 “ Law of the Land ; against the Liberty and Property of the
 “ Subject ; destructive to Sovereignty ; and therefore not con-
 “ sistent with the very Constitution and Essence of the King-
 “ dom, and the Right and Privilege of Parliament : That he
 “ was bound by his Oath (and all his Subjects were bound by
 “ theirs of Allegiance, and Supremacy, and their own Pro-
 “ testation lately taken, to assist his Majesty) to oppose that
 “ Ordinance, which was put already in execution against him,
 “ not only by Training and Arming his Subjects, but by
 “ forcibly removing the Magazine, from the place trusted by
 “ the County, to their own Houses, and guarding it there
 “ with Arm’d Men : Whither it would be next removed, and
 “ how used by such Persons, he knew not.

“ THAT the keeping his Majesty out of *Hull* by *Sr John*
 “ *Hotbarn*, was an Act of High Treason against his Majesty ;
 “ and the taking away his Magazine and Munition from him,
 “ was an Act of Violence upon his Majesty, by what hands
 “ or by whose direction soever it was done : And, in both
 “ cases, by the help of God, and the Law, his Majesty said,
 “ he would have Justice, or lose his Life in the requiring it ;
 “ the

"the which he did not value at that rate, as to preserve it with
 "the Infamy of suffering himself to be robbed, and spoiled of
 "that Dignity he was born to. And if it were possible for
 "his good Subjects to believe, that such a Defence of himself,
 "with the utmost power and strength he could raise, was
 "making a War against his Parliament, he did not doubt,
 "however it should please God to dispose of him in that con-
 "tention, but the justice of his Cause would, at the last, pre-
 "vail against those few Malignant Spirits, who, for their own
 "ends and ambitious designs, had so misled and corrupted
 "the understandings of his People. And since neither his own
 "Declaration, nor the Testimony of so many of his Lords,
 "then with his Majesty, could procure credit with those Men,
 "but that they proceeded to levy Horse, and to raise Money
 "and Armes against his Majesty, he said, he was not to be
 "blamed, if after so many gracious expostulations with them,
 "upon undeniable principles of Law and Reason (which they
 "answer'd only by Voting that which his Majesty said, to be
 "neither Law, nor Reason; and so proceeded actually to levy
 "War upon his Majesty, to justify that which could not be
 "otherwise defended) at last he made such provision, that as
 "he had been driven from *London*, and kept from *Hull*, he
 "might not be surpris'd at *York*; but be in a condition to re-
 "sist, and bring to justice those Men, who would persuade
 "his People that their Religion was in danger, because his
 "Majesty would not consent it should be in Their power to
 "alter it by their Votes; or their Liberty in danger, because
 "he would allow no Judge of that Liberty, but the known
 "Law of the Land: Yet, he said, whatever provision he
 "should be compelled to make for his security, he would be
 "ready to lay down, as soon as they should revoke the Orders
 "by which they had made Levies, and submitted those Per-
 "sons, who had detain'd his Towns, carried away his Armes,
 "and put the Militia in execution contrary to his Proclamation,
 "to that Trial of their innocence, which the Law had di-
 "rected, and to which they were born: If that were not sub-
 "mitted to, he should, with a good conscience, proceed against
 "those who should presume to exercise that pretended Ordi-
 "nance for the Militia, and the other who should keep his
 "Town of *Hull* from him, as he would resist Persons who
 "came to take away his Life, or his Crown from him.

"AND therefore his Majesty again remember'd, and re-
 "quired his City of *London* to obey his former Commands,
 "and not to be misled by the Oration of those Men, who
 "were made desperate by their Fortunes, or their Fortunes
 "by Them; who told them their Religion, Liberty, and
 "Property, was to be preserv'd no other way, but by their
 "Disobedience

"Disloyalty to his Majesty: That they were now at the brink
 "of the River, and might draw their Swords (which was an
 "expression used at a great convention of the City) when no-
 "thing pursued them but their own evil consciences. He wish'd
 "them to consider, whether their Estates came to them, and
 "were settled upon them, by Orders of both Houses, or by
 "that Law which his Majesty descended: What security they
 "could have to enjoy their own, when they had helped to rob
 "his Majesty; and what an happy conclusion That War was
 "like to have, which was raised to oppress their Sovereign:
 "That the wealth and glory of their City was not like to be
 "destroyed any other way, but by Rebelling against his Ma-
 "jesty; and that way inevitably it must; nor their Wives and
 "Children to be exposed to violence and villany, but by those
 "who make their Appetite and Will the measure, and guide
 "to all their Actions. He advised them not to fancy to them-
 "selves Melancholy apprehensions, which were capable of no
 "satisfaction; but seriously to consider what security they
 "could have, that they had not under his Majesty, or had not
 "been offer'd by him: And whether the Doctrine those Men
 "taught, and would have them defend, did not destroy the
 "Foundations upon which their security was built?

THE great conflux that hath been mention'd, of Men of
 all Conditions, and Qualities, and Humours, could not con-
 tinue long together at *York*, without some impatience and
 commotion; and most Men wonder'd, that there appear'd no
 provisions to be made towards a War, which they saw would
 be inevitable: And when the Levies of Soldiers under the Earl
 of *Essex*, were hasten'd with so much vigour, that the King
 should have no other Preparations towards an Army, than a
 single Troop of Guards made up of Gentlemen Volunteers;
 who, all Men foresaw, would quit the Troop when there
 should be an Army: And many do yet believe, that the King
 too long defer'd his recourse to Armes; and that if he had
 rais'd Forces upon his first repulse at *Hull*, his service would
 have been very much advanced; and that the Parliament
 would not have been able to have drawn an Army together.
 And so Men still reproach the Councils which were then about
 the King, as they were censured by many at that time; but
 neither They then, nor These now do understand the true
 reason thereof. The King had not, at that time, one Barrel
 of Powder, nor one Musquet, nor any other provision neces-
 sary for an Army; and, which was worse, was not sure of any
 Port, to which they might be securely assign'd; nor had he
 Money for the support of his own Table for the term of one
 Month. He expected, with impatience, the arrival of all
 those necessaries, by the care and activity of the Queen; who

was then in *Holland*, and by the sale of her own, as well as of the Crown Jewels, and by the friendship of *Henry* Prince of *Orange*, did all she could to provide all that was necessary; and the King had newly directed her to send all to *New-Castle*, which was but then secured to him by the diligence of the Earl of that Name. In the mean time both the King Himself, and they who best knew the state of his Affairs, seem'd to be without any thoughts of making War; and to hope, that the Parliament would at last incline to some Accommodation; for which both his Majesty, and those Persons were expos'd to a thousand reproaches:

THE Queen had many difficulties to contend with; for though the Prince of *Orange* had a very signal affection for the King's Service, and did all he could to dispose the States to concern themselves in his Majesty's Quarrel; yet his Authority, and Interest, was much diminish'd with the vigour of his Body and Mind: And the States of *Holland* were so far from being inclin'd to the King, that they did him all the mischief they could. They had before assisted the Rebellion in *Scotland*, with giving them credit for Armes and Ammunition, before they had money to buy any; and they did afterwards, several ways, discover their affections to the Parliament; which had so many Spies there, that the Queen could do nothing they had not present notice of; so that it was no easy matter for the Queen to provide Armes and Ammunition, but the Parliament had present notice of it, and of the ways which were thought upon to transport them to the King: And then their Fleet, under the Command of the Earl of *Warwick*, lay ready to obstruct and intercept that Communication; nor was any remedy in view to remove this mischief; inasmuch as it was no easy thing for the King to send to, or to receive Letters from, the Queen.

THERE was a small Ship of 28 or 30 Guns, that was part of the Fleet that waisted her Majesty into *Holland* from *Dover*, which was called the *Providence*, under the Command of Captain *Straugham*, when the Fleet was Commanded by *St John Pennington*, and before the Earl of *Warwick* was superinduced into that Charge against the King's Will. That Ship, the Captain whereof was known to be faithful to his Majesty, was, by the Queen, detain'd, and kept in *Holland* from the time of her Majesty's Arrival, under several pretences, of which the Captain made use, when he afterwards received Orders from the Earl of *Warwick* "to repair to the Fleet in the Downs; until, after many promises and excuses, it was at last discern'd that he had other Business and Commands; and so was watched, by the other Ships, as an Enemy. This Vessel the Queen resolv'd to send to the King,

principally to inform his Majesty of the streights she was in; of the provisions she had made; and to return with such particular Advice, and Directions from his Majesty, that she might take further resolutions. And because the Vessel was light, and drew not much Water, and so could run into any Creek, or open Road, or Harbour, and, from thence, easily send an express to the King; there was put into it about two hundred Barrels of Powder, and two or three thousand Armes with seven or eight Field-Pieces; which, they knew, would be very welcome to the King, and serve for a beginning and countenance to draw Forces together. The Captain was no sooner put to Sea, but notice was sent to the Commander of the Fleet in the Downs; who immediately sent three or four Ships to the North, which easily got the Providence in View, before it could reach that Coast; and chased it with all their Sails, till they saw it enter into the River of *Humber*; when, looking upon it as their own, they made less haste to follow it, being content to drive it before them into their own Port of *Hull*; there being, as they thought, no other way to escape them; until they plainly saw the Ship entering into a narrow Creek out of *Humber*, which declined *Hull*, and led into the Country some Miles above it; which was a place well known to the Captain, and design'd by him to arrive at from the beginning. It was in vain for them to hasten their pursuit; for they quickly found that their great Ships could not enter into that passage, and that the River was too shallow to follow him; and, so, with shame and anger, they gave over the Chase; whilst the Captain continued his course; and having never thought of saving the Ship, run it on Shore on that side towards *Bur-lington*; and, with all expedition, gave notice to the King of his arrival; who, immediately, caused the Persons of Quality in the parts adjacent, to draw the Train'd-bands of the Country together, to secure the incursions from *Hull*; and by this means, the Armes, Ammunition, and Artillery, were quickly brought to *York*.

THE King was well content that it should be generally believed, that this small Ship, the size whereof was known to few, had brought a greater quantity and proportion of Provisions for the War, than in truth it had, and therefore, though it had brought no Money, which he expected, he forthwith granted Commissions, to raise Regiments of Horse and Foot, to such Persons of Quality and Interest, as were able to comply with their obligations. He declar'd the Earl of *Lindsey*, Lord High Chamberlain of *England*, his General of the Army; a Person of great Honour and Courage, and generally beloved; who many years before had good Commands in *Holland*, and *Germany*, and had been Admiral at Sea in several Expeditions.

tions. *Sr Jacob Astley* was declar'd Major General of the Foot, a Command he was very equal to, and had exercised before, and executed after, with great approbation. The Generalship of the Horse, his Majesty reserv'd for his Nephew Prince *Rupert*; who was dayly expected, and arriv'd soon after: And all Levies were hasten'd with as much expedition as was possible in so great a scarcity, and notorious want of Money; of which no more need be said, after it is remember'd that all the Lords, and Council about the King, with several other Persons of Quality, voluntarily made a Subscription for the payment of so many Horse for three Months; in which time they would needs believe, that the War should be at an end; every one paying down what the three Months pay would amount to, into the hands of a Treasurer appointed to receive it; and this Money was presently paid for the making those Levies of Horse, which were design'd; and which could not have been made but by those Moneys.

AND now the King thought it time to execute a Resolution he had long intended, and which many Men wonder'd he neglected so long; which was, as much as in Him lay, to take the Admiralty into his own hands. He had long too much cause to be unsatisfied, and displeased with the Earl of *Northumberland*; whom he thought he had oblig'd above any Man whatsoever. His delivering the Fleet into the hands and Command of the Earl of *Warwick*, after his Majesty had expressly refus'd it to the Parliament, the King could not easily forgive; however he thought it not Then seasonable to resent it, because he had nothing to object against him, but his compliance with the Command of the Parliament, who would have own'd it as their own quarrel; and must have oblig'd that Earl to put his whole Interest into Their hands, and to have run Their Fortune; to which he was naturally too much inclin'd: And then his Majesty foresaw, that there would have been no Fleet at all set out that year, by their having the Command of all the Money, which was to be applied to that Service. Whereas, by his Majesty's concealing his resentment, there was a good Fleet made ready, and set out; and many Gentlemen settled in the Command of Ships, of whose Affection and Fidelity his Majesty was assur'd, that no Superior Officer could corrupt it; but that they would, at all times, repair to his Service, whenever he requir'd it. And, indeed, his Majesty had an opinion of the devotion of the whole body of the Common Sea-men to his Service, because he had, bountifully, so much mended their condition, and increased their Pay, that he thought they would have even thrown the Earl of *Warwick* over Board, when he should Command them; and so the resenting the doing of it would be of little importance. But now,

that a Ship of his own, in the execution of his Commands, should be chased by his own Fleet as an Enemy, made such a noise in all places, even to his reproach and dishonour, that he could no longer defer the doing what he had so long thought of. He resolv'd therefore, to revoke the Earl of *Northumberland's* Commission of the Office of High-Admiral of *England*, and to send the Revocation to him under the Great Seal of *England*: Then, to send *Sr John Pennington*, who was then at *Tork*, on board the Fleet, and to take the Charge of it: and Letters were prepared, and sign'd by the King, to every one of the Captains; whereby they were required, "to observe the Orders of *Sr John Pennington*: And all this was carried with all possible Secrecy, that none, but those few who were trusted, knew, or suspected any such Alteration.

BUT the King thought fit, first to advise with *Sr John Pennington*; of whose Integrity he was confident, and whose judgment he always principally relied on in all his Maritime Actions; and thought him the only Person fit immediately to take the Fleet out of the Earl of *Warwick's* possession; who had dispossessed of Him the Command that year, which he had usually exercised. *Sr John Pennington*, finding the matter full of difficulty, and the execution like to meet with some interruptions, expressed no alacrity to undertake it in his own Person; alledging, "that himself stood in the Parliament's disfavour, and jealousy (which was true) and that therefore his motion, and journey towards the *Downs*, where the Fleet then lay, would be immediately taken notice of; and his Majesty's Design be so much guessed at, that there would need no other Discovery; but he propounded to his Majesty, "that he would send a Letter to *Sr Robert Mansel*, who lived at *Greenwich*, speedily to go to the Fleet, and to take charge of it, and that His Authority, being Vice-Admiral of *England*, and his known and great Reputation with the Sea-men, would be like to meet with the least resistance. His Majesty, imparting this Counsel to those whom he had made Privy to his purpose, enter'd upon new considerations; and concluded, that *Sr Robert Mansel's* age (though his Courage and Integrity were unquestionable) and the accidents that depended upon that, would render that Expedient most hazardous; and that, in truth, there needed no such absolute and supreme Officer, to be appointed in the first Article; but rather, that his Majesty should direct his Special Letter to the Captain of every Ship, requiring him immediately to weigh Anchor, and so bring away his Ship to such a place as his Majesty might appoint, where he should receive further Orders: And to that place he might send such an Officer, as he thought fit to trust with the Command of the whole Navy so assembled. Ac-

according to this Resolution, the whole Dispatch was prepared. First a Revocation of the Earl of *Northumberland's* Commission of Admiral, under the Great Seal of *England*; of which there was a Duplicate; the one to be sent to his Lordship; the other to the Earl of *Warwick*; whose Commission was founded upon, and so determined by, the other. Then a particular Letter to each of the Captains of his Ships, informing them "of his Majesty's Revocation of the Admiral's Patent, and, "consequently, of the determination of the Earl of *Warwick's* "Commission (to whom his Majesty likewise writ, to "inhibit him from further meddling in that Charge) and therefore commanding them to yield no further obedience to either of their Orders; but that, immediately upon the receipt of those his Royal Letters, he should weigh Anchor; and with what speed he might, repair to *Burlington-Bay* upon the Coast of *Yorkshire*; where he should receive his Majesty's further pleasure: And so each Commander, without relation to any other Commands, had no more to look after but his own Ship, and his own Duty, by which the King might expect, at least, so many Ships as were under the Command of those who had any Affection or Fidelity to his Service.

ACCORDINGLY, all things being prepared, and signed by the King and sealed, what immediately concern'd the Earl of *Northumberland* was deliver'd to one of his Majesty's Pages, to be given to the Earl of *Northumberland* at *London*; and the whole dispatch to the Fleet to Mr *Edward Villiers*, whose diligence and dexterity his Majesty found fit for any Trust; the former being directed "not to make such hast, but that the "other might be at least as soon at the *Doune*, as He at *London*; and Mr *Villiers* again being appointed what Letters he should first deliver to the Captains; "and that he should Visit the "Earl of *Warwick* in the last place; that his Activity might have no influence upon the Sea-men to prevent their obedience to his Majesty. And surely if this resolution had been pursued, it is very probable, that the King had been Master of very many of his Ships again. But, when the Messengers were dispatched, and well instructed, and he that was for *London* gone on his Journey, there was a suddain and unexpected change of the whole direction to the Fleet, by Sr *John Pennington's* repair to his Majesty; and, upon second thoughts, offering "to go Himself to the *Doune*, and to take Charge of "the Fleet; which changed the Forms of the Letters to the several Captains; and, instead of leaving every one to use his best expedition to bring away his own Ship to *Burlington*, "required them only to observe such Orders, as they should receive by Sr *John Pennington*; who thought not fit (for the reasons formerly given of his being taken notice of) to go with

Mr *Villiers*:

Mr *Villiers*; but, by him, writ to Sr *Henry Palmer*, to whom likewise his Majesty sent a Letter to that purpose, being an Officer of the Navy, and who liv'd by the *Downs*, "immediately to go aboard the Admiral; and that he Himself would make all possible hast to him, setting out at the same time with Mr *Villiers*; but Journeying a farther and more private way. Mr *Villiers*, left, by his stay for the alteration of his dispatches, the Page's coming to *London* sooner than was intended at his setting out, might produce some inconvenience to the Service, kept not till he came to Sr *Henry Palmer*; who, being infirm in his Health, and surpris'd with the Command, could not make that Expedition aboard, as might have been requisite; though he was Loyally and Zealously affected to his Majesty's Service. However, Mr *Villiers* hasten'd to the Ships which lay then at Anchor, and according to his Instructions, deliver'd his several Letters to the Captains; the greatest part whereof receiv'd them with great expressions of duty and submission, expecting only to receive Sr *John Pennington's* Orders; for which they stay'd; and, without doubt, if either the first Letters had been sent, or Sr *John Pennington* been present, when these others were deliver'd, his Majesty had been possessed of the greatest part of the Fleet; the Earl of *Warwick* being at that time, according to his usual Licences, with some Officers whose company he liked, on shore making merry; so that there was only his Vice-Admiral, Captain *Batten*, onboard, who was of eminent disaffection to his Majesty: The Rear-Admiral, Sr *John Mennes*, being of unquestionable Integrity.

BUT after five or six hours (in which time nothing could be acted, for want of advice and direction; enough being ready to Obey, but none having Authority to Command). the Earl of *Warwick* came aboard his Ship, to whom Mr *Villiers* likewise gave his Majesty's Letters of his Discharge; who, without any Declaration of disobeying it, applied himself to the confirming those who he thought true to his Party, and diligently to watch the rest; presuming, that he should speedily hear from those by whom he had been originally trusted.

IN the mean time, the Captains expected Orders from Sr *John Pennington*; who likewise privately expected such an account from Sr *Henry Palmer*, as might encourage him to come to the Ships. But this unfortunate delay disappointed all: For the other Gentleman, according to his Instructions, having reach'd *London* in the evening after the Houses were risen, deliver'd the King's Letter, and the Discharge of his Commission, to the Earl of *Northumberland*; who, with all shews of Duty and Submission, expressed "his Resolution to obey his Majesty; and a hearty sorrow, that he had, by any Misfortune, incur'd his Majesty's displeasure. How ingenuous so-

*The King
revokes the
Earl of Nor-
thumber-
land's Com-
mission of
Admiral.*

over this demeanour of his Lordship's was, the business was quickly known to those who were more concern'd in it; who were exceedingly perplexed, with the apprehension of being dispossessed of so great a part of their strength, as the Royal Fleet; and earnestly pressed the Earl of *Northumberland*, "that, notwithstanding such his Majesty's Revocation, he would still continue the execution of his Office of Lord High Admiral; in which they would assist him with their utmost and full Power, and Authority. But his Lordship alledging, "that it would ill become Him, who had receiv'd that Charge from the King with so notable circumstances of Trust and Favour, to continue the possession thereof against his express Pleasure, there being a Clause in his Grant, that it should be only during such time as his Majesty thought fit to ute his Service; and so; "utterly refusing to meddle further in it; as soon as they could get the Houses together the next morning, they easily agreed to pass an Ordinance, as they call it, "to appoint the Earl of *Warwick* to be Admiral of that Fleet, with as full and ample Authority, as he had before had from the Earl of *Northumberland*. Which Ordinance, together with Letters, and Votes of encouragement to his Lordship and to the Officers and Sea-men, they speedily sent, by a Member of their own; who arriv'd therewith, the next morning, after Mr *Villiers* had deliver'd the King's Letter; Sr *John Pennington* in the mean time neither coming, nor sending any further Advice.

THE Earl of *Warwick*, being thus arm'd, found himself Master of his Work; and immediately summon'd all the Captains, to attend him on board his Ship in Council; the which all but two did (Captain *Slingsby*, and Captain *Wake*) who, being by his Majesty's Letters, as the rest were, expressly charged to yield no further Obedience to the Earl of *Warwick*, refused to repair to him; making themselves ready to resist any Violence, and putting their Ships in order to go out to Sea, that they might be at Liberty to attend his Majesty's Commands; but they were so encompassed by the whole Fleet, and the dexterity of the Earl's Ministers was such, and the devotion, generally, of the Sea-men so tainted, and corrupted from the King's Service, that, instead of carrying away the Ships, the Captains themselves were seized, taken, and carried by their own Men to the Earl; who immediately committed them to Custody, and sent them up Prisoners to the Parliament. Then the Earl communicated the Ordinance, Letters, and Votes from the two Houses, to the rest of the Officers; of whom only two more refused to continue their Charge against the signification they had receiv'd from the King (Sr *John Manners*, and Captain *Barly*) who were quickly discharged,

and set on Shore; and the rest, without any scruple or hesitation, "oblig'd themselves to obey the Earl of *Warwick*, in the "Service of the Parliament; so that the Storm was now over, and the Parliament fully, and entirely possessed of the whole Royal Navy, and Militia by Sea; for they quickly disposed of two other honest Captains, *Kettleby*, and *Stradlin* (whom they could not corrupt) who guarded the *Irish* Seas; and got those Ships likewise into their Service. And thus his Majesty was without one Ship of his own, in his three Kingdoms, at his Devotion.

As this loss of the whole Navy was of unspeakable ill consequence to the King's Affairs, and made his Condition much the less consider'd by his Allies, and Neighbour Princes; who saw the Sovereignty of the Sea now in other hands, that were like to be more imperious upon the apprehension of any discourtesies, than regular and lawful Monarchs use to be. I cannot but observe some unhappy circumstances, and accidents in this important business of the Navy, which looked like the hand of Providence to take that strength, of which his Majesty was most confident, out of his hands. When the resolution of the House of Commons, and the concurrence of the Lords was peremptory, and the Earl of *Northumberland* had declar'd his compliance with them, "for the sending the Earl of *Warwick* "Admiral of that Fleet, in the place of *Sr John Pennington*, "upon whom the King depended; it was resolv'd likewise by them, "that Captain *Carteret*, Controller of his Majesty's "Navy, a Man of great Eminency, and Reputation in Naval "Command, should be Vice-Admiral; who thinking it became his near relation to his Majesty's Service, to receive his Royal Pleasure before he engaged himself in any employment of that Nature, address'd himself for his directions. But the King, looking upon the Fleet in a manner taken from him, when another, whose disaffection to his Service was very notorious, was, contrary to his express Pleasure, presumptuously put into the Command of it, and his own Minister displaced for no other reason (his sufficiency, and ability for Command being by all Men confessed) but his Zeal and Integrity to Him, would not countenance that Fleet, and that Admiral, with suffering an Officer of his own to Command in it under the other; and therefore order'd Captain *Carteret* to decline the employment, which he, prudently, and without noise, did; and thereupon, another Officer of the Navy, the Surveyor General, Captain *Batten*, a Man of very different inclinations to his Master, and his Service, and furious in the new fancies of Religion, was substituted in the place: Whereas if Captain *Carteret* had been suffer'd to have taken that Charge, his Interest and Reputation in the Navy was so great, and his dili-

genie and dexterity in Command so eminent, that it was generally believ'd, he would, against whatsoever the Earl of *Warwick* could have done, have preserv'd a Major part of the Fleet in their Duty to the King. The misfortunes which happen'd after, and are mention'd before, are not in justice to be imputed to *Sr John Pennington*; who, sure, was a very honest Gentleman, and of unshaken Faithfulness and Integrity to the King; but to the little time he had to think of it: And the perplexity he was in (besides his true Zeal to the Service) to consider that so great a work, as the recovery of the Royal Navy, was to be done by his own Personal engagement, made him look so little to his own security, that, instead of taking the Fleet from the Earl of *Warwick*, he was Himself taken by the Earl, and sent to the Parliament; where the carrying over the Lord *Digby*, and some other Jealousies, had left a great arrear of displeasure against him.

THE truth is, the King was so confident upon the general Affections of the Sea-men, who were a Tribe of People more particularly countenanced and oblig'd by him, than other Men, his Majesty having encreased their allowance, in Provision and Money, above the old establishment of the Navy, as hath been mention'd; that he did believe no Activity of ill Officers could have corrupted them; but that, when the Parliament had set out and Victualled the Fleet, it would, upon any occasion, declare it self at his Devotion. But, on the other side, they had been taught to believe, that all the King's bounty, and grace towards them, had flow'd from the mediation of those Officers, who were now engaged against the King; and that, the Parliament having seized the Customs, and all other the Revenues of the Crown, they had no other hope of Pay or Subsistence, but by absolutely devoting themselves to their Service: so that a greater, or more general defection of any one Order of Men was never known, than that, at this time, of the Sea-men; though many Gentlemen, and some few of the Common sort, to their lasting Honour and Reputation, either address'd themselves to the Active Service of their Sovereign, or suffer'd Imprisonment, and the loss of all they had, for refusing to serve against him.

THE News of this diminution of his Majesty's Power, and terrible addition of Strength to his Enemies, was a great alloy to the brisk hopes at *York*, upon the arrival of their Ammunition, and Wise Men easily discern'd the fatal Consequence of it in opposition to the King's most hopeful designs; yet, in a very short time, all visible sense of it so much vanish'd, that (as there was a marvellous alacrity, at that time, in despising all advantages of the Parliament) some Men publicly, and with great confidence, averr'd, "that the King was a Gainer
"by

"by the loss of his Fleet; because he had no Money to Pay
 "the Sea-men, or keep them together; and that one Victory
 "at Land, of which there was no doubt, would restore him
 "to his Dominion at Sea, and to whatsoever had been un-
 "justly taken from his Majesty.

THE King found it was now time to do more than write
 Declarations, when the Parliament was now entirely possessed
 of the Militia by Sea, and made such a progress in the attempt
 to obtain the same at Land, that though the People generally
 (except in great Towns and Corporations, where, besides the
 natural Malignity, the Factioned Lecturers, and Emisaries from
 the Parliament, had poison'd their Affections) and especially
 those of Quality, were Loyally inclined; yet, the terror of
 the House of Commons was so great, which sent for and
 grievously punished those Sheriffs and Mayors, who published,
 according to their Duties and express Oaths, his Majesty's Pro-
 clamations, and those Ministers, who, according to his In-
 junctions, read and divulged his Declarations, that all such
 and, indeed, all others eminently affected to the King, were
 forced to fly to *Tork* for Protection; or to hide themselves in
 Corners from that Inquisition, which was made for them. And
 therefore his Majesty, in the first place, that he might have one
 Harbour to resort to in his Kingdom, sent the Earl of *New-
 Castle*, privately, with a Commission to take the Government
 of *New Castle*; who against the little opposition, that was pre-
 pared by the Schismatical Party in the Town, by his Lordship's
 great Interest in those parts, the ready complaisance of the best
 of the Gentry, and the general good Inclinations of the place,
 speedily and dextrously assur'd that most important rich Town,
 and Harbour to the King; which, if it had been omitted but
 very few days, had been seized on by the Parliament; who
 had then given direction to that purpose. Then for the Pro-
 tection of the general parts of the Kingdom, and keeping up
 their Affections, his Majesty appointed and sent many of the
 Nobility and prime Gentlemen of the several Counties, who
 attended him, into their respective Counties to execute the
 Commission of Array; making the Marquis of *Hartford*, by
 Commission under the Great Seal of *England* (which he was
 to keep secret in reserve, till he found, either by the growth,
 or extraordinary practice of the Parliament in raising Forces,
 that the Commission of Array was not enough) "his Lieute-
 "nant General of all the Western Parts of the Kingdom, with
 "Power to Levy such a Body of Horse and Foot, as he found
 "necessary for his Majesty's Service, and the containing the
 "People within the limits of their Duty. With the Marquis
 went the Earl of *Bath* (thought then to be in notable Power
 and Interest in *Devonshire*) the Lord *Pembroke*, the Lord *Seymour*,
 Sir *Ralph*

St Ralph Hopton, St John Berkley, St Hugh Pollard, and others, very good Officers, to form an Army if it should be found expedient. And so, much of the lustre of the Court being abated, by the remove of so many Persons of Honour and Quality, the King began to think of encreasing; and forming his Train into a more useful posture, than it was yet; and, without any noise of raising an Army, to make the Scene of his first Action to be the recovery of *Hull* (whither new Forces were sent from *London*) by the ordinary Forces and Train'd-bands of that County; by colour whereof, he hoped to have such resort, that he should need no other industry to raise such an Army, as should be sufficient to preserve himself from the violence, which threaten'd his safety; and accordingly, that the People might fully understand his intentions, he summon'd some of the Train'd-bands to attend him at *Beverly*, a Town within four Miles of *Hull*; whither he remov'd his Court, and publish'd a Proclamation, briefly containing "the Rebellion of *St John Hotham*, in holding that Town by a Garrison against him; his demanding justice from the two Houses without effect; the seizing his Fleet at Sea, and the hostile Acts of *Sir John Hotham* upon the Inhabitants of that Town, many of whom he turn'd out of their Habitations; and upon the Neighbour County, by imprisoning many; and driving others for fear from their Houses: And therefore that he was resolv'd to reduce the same by Force; inhibiting all Commerce or Traffick with the said Town, whilst it continued in Rebellion.

The King's
Proclamation
from
Beverley.

With this Proclamation he likewise sent to both Houses of Parliament, with this further signification, "That, before he would use force to reduce that place to it's due Obedience, he had thought fit, once more, to require them, that it might be forthwith deliver'd to him; wherein if they should conform themselves, his Majesty would be then willing to admit such Addresses from them, and return such Propositions to them, as might be proper to settle the Peace of the Kingdom, and compose the present Distractions. He wish'd them to do their Duty, and to be assured from Him, on the word of a King, that nothing should be wanting on His part, that might prevent the Calamities which threaten'd the Nation, and might render his People truly happy; but if that his gracious Invitation should be declin'd, God and all good Men must judge between them: And assign'd a Day, by which he would expect their Answer at *Beverly*.

In the mean time, to encourage the good Affections of *Nottinghamshire*, which seem'd almost intirely to be devoted to his Service; and to countenance and give some Life to his Friends in *Lincolnshire*, where, in Contempt of his Proclamation,

tion, the Ordinance of the Militia had been boldly executed by the Lord *Willoughby of Parham*, and some Members of the House of Commons, his Majesty took a short Progress to *Newark*; and, after a days stay, from thence to *Lincoln*; and so, by the day appointed, return'd to *Beverly*; having, in both those places, been attended with such an Appearance of the Gentlemen, and Men of Quality, and so full a Concourse of the People, as one might reasonably have guessed the Affections of both those Counties would have seconded any just, and regular Service for the King.

THEY at *London* were no less Active; but, upon their Success in the business of the Navy, proceeded to make themselves strong enough, at least, to keep what they had; and therefore, having, by their Ordinance of the Militia, many voluntary Companies form'd of Men according to their own Hearts; and, by their Subscriptions, being supplied with a good stock of Money, and a good number of Horse; before the King's Message from *Beverly* came to them, on the twelfth of *July*, being the same day the Message went from the King, both Houses Voted, and Declared, "That an Army should be forthwith raised for the Safety of the King's Person; Defence of both Houses of Parliament, and of those, who had obey'd their Orders, and Commands; and preserving of the true Religion, the Laws, Liberty, and Peace of the Kingdom. That the Earl of *Essex* should be their General, and that they would Live and Dye with him. And, having put themselves into this posture of Treating, the same day they agreed that a Petition should be framed, "to move the King to a good accord with the Parliament, to prevent a Civil War; the which was purposely then consented to, that the People might believe, the talk of an Army and a General, was only to draw the King to the more reasonable Concessions. And it is certain, the first was consented to by many, especially of the House of Peers (in hope the better to compass the other) with the perfect horrow of the thought of a War. Though the King's Message came to them before their own was dispatch'd, yet, without the least notice taken of it, and lest the contents of their Petition might be known before the arrival of their own Messengers, the Earl of *Holland*, *Sr John Holland*, and *Sr Philip Stapleton*, being the Committee appointed for the same, made a speedy and quick Journey for *Beverly*; and arriv'd, in the same minute that the King came thither from *Lincoln*: So that his Majesty no sooner heard of the raising an Army, and declaring a General against him, but he was encounter'd with the Messengers for Peace; who reported to all whom they met, and with whom they conversed, "That they had brought so absolute a Sub-

The Votes of both Houses for raising an Army.

"mission

"mission from the Parliament to the King, that there could
 "be no doubt of a firm and happy Peace: And when the
 Earl of *Holland* presented the Petition, he first made a short
 Speech to the King; telling him, "That the glorious Motto
 "of his blessed Father, King *James*, was *Beati Pacis*, which
 "he hoped his Majesty would continue; that they presented
 "him with the humble Duty of his two Houses of Parlia-
 "ment, who desired nothing from him but his consent, and
 "acceptance of Peace; they aiming at nothing but his Ma-
 "jesty's Honour, and Happiness: And then read their Message
 aloud, in these words:

*The Parlia-
 ment's Peti-
 tion to the
 King at Be-
 verly, July
 15. 1642.*

*To the King's most Excellent Majesty; The humble Petition
 of the Lords and Commons assembled in Parliament.*

"May it please your Majesty :

"ALTHOUGH We, your Majesty's most humble and
 "faithful Subjects, the Lords and Commons in Parliament as-
 "sembled, have been very unhappy in many former Peti-
 "tions, and Supplications to your Majesty; wherein we have
 "represented our most dutiful Affections in advising, and de-
 "siring those things, which we held most necessary for the
 "preservation of God's true Religion; your Majesty's Safety,
 "and Honour; and the Peace of the Kingdom: And, with
 "much sorrow, do perceive that your Majesty, incensed by
 "many false Calumnies and Slanders, doth continue to raise
 "Forces against Us, and your other Peaceable and Loyal Sub-
 "jects; and to make great Preparations for War, both in the
 "Kingdom, and from beyond the Seas; and, by Armes and
 "Violence, to over-rule the Judgement and Advice of your
 "Great Council; and by Force to determine the Questions
 "there depending, concerning the Government and Liberty
 "of the Kingdom: Yet, such is our earnest desire of discharg-
 "ing our Duty to your Majesty and the Kingdom, to preserve
 "the Peace thereof, and to prevent the Miseries of Civil
 "War amongst your Subjects; that, notwithstanding we
 "hold our selves bound to use all the means and power,
 "which, by the Laws and Constitutions of this Kingdom, we
 "are trusted with for Defence, and Protection thereof, and
 "of the Subjects from Force and Violence: We do, in this
 "our Humble and Loyal Petition, prostrate our selves at
 "your Majesty's Feet; beseeching your Royal Majesty, that
 "you will be pleased to forbear and remove all Prepara-
 "tions and Actions of War; particularly the Forces from
 "about *Hull*, from *New-Castle*, *Tinmouth*, *Lincoln*, and *Lincoln-
 shire*; and all other places. And that your Majesty will
 "recall the Commissions of Array, which are illegal; dismiss
 "Troops, and extraordinary Guards by you raised: That
 "your

"your Majesty will come neater to your Parliament; and
 "hearken to their faithful Advice and humble Petitions;
 "which shall only tend to the defence, and advancement of
 "Religion; your own Royal Honour, and Safety; and the
 "preservation of our Laws and Liberties. And we have
 "been, and ever shall be, careful to prevent, and punish all
 "Tumults, and seditious Actions, Speeches, and Writings,
 "which may give your Majesty just cause of distast, or ap-
 "prehension of danger. From which publick Aimes and Re-
 "solutions, no sinister or private respect shall ever make us
 "to Decline. That your Majesty will leave Delinquents to
 "the due course of Justice; and that nothing done, or spoken
 "in Parliament, or by any Person, in pursuance of the Com-
 "mand and Direction of both Houses of Parliament, be que-
 "stion'd any where but in Parliament.

"AND We, for Our parts, shall be ready to lay down all
 "those Preparations, which we have been forced to make for
 "our defence. And for the Town of *Hull*, and the Ordinance
 "concerning the Militia, as we have, in both these Particu-
 "lars, only sought the preservation of the Peace of the King-
 "dom; and the defence of the Parliament from force and vio-
 "lence: so We shall most willingly leave the Town of *Hull*
 "in the state it was, before *Sr John Hotham* drew any Forces
 "into it; delivering your Majesty's Magazine into the Tower
 "of *London*, and supplying whatsoever hath been disposed
 "by us for the Service of the Kingdom. We shall be ready to
 "settle the Militia by a Bill, in such a way as shall be honour-
 "able, and safe for your Majesty; most agreeable to the Duty
 "of Parliament, and effectual for the Good of the Kingdom;
 "that the strength thereof be not imploy'd against it self, and
 "that which ought to be for our Security, applied to our De-
 "struction; and that the Parliament, and those who profess,
 "and desire still to preserve the Protestant Religion, both in
 "this Realm, and in *Ireland*, may not be left naked, and in-
 "defensible to the mischievous Designs, and cruel Attempts
 "of those, who are the professed, and confederated Enemies
 "thereof in your Majesty's Dominions, and other neighbour
 "Nations. To which if your Majesty's Courses and Counsels
 "shall from henceforth concur, We doubt not but We shall
 "quickly make it appear to the world, by the most eminent
 "effects of Love and Duty, that your Majesty's Personal Safe-
 "ty, your Royal Honour, and Greatness, are much dearer
 "to us than our own Lives and Fortunes; which We do most
 "heartily dedicate, and shall most willingly imploy for the sup-
 "port, and maintenance thereof.

AS SOON as this Petition was read by the Earl of *Holland*,
 the

the King told them "that the reproaches cast upon him by
 "it, were not answerable to the Expressions his Lordship had
 "made; and that he was sorry that they thought the exposing
 "Him, and his Honour to so much scandal, was the way to
 "procure, or preserve the Peace of the Kingdom: That they
 "should speedily receive his Answer: by which the world
 "would easily discern, Who desired Peace most. And accord-
 "ingly, the second day, his Majesty deliver'd them, in publick,
 his Answer to their Petition, which was likewise read by one
 of his Servants, in these Words:

*His Ma-
 jesty's Answer.*

*His Majesty's Answer to the Petition of the Lords and
 Commons assembled in Parliament.*

"THOUGH his Majesty had too great reason to believe
 "that the directions sent to the Earl of *Warwick*, to go to the
 "River *Humber*, with as many Ships as he should think fit,
 "for all possible assistance, to *Sr John Hotbom* (whilst his Ma-
 "jesty expected the giving up of the Town unto him) and to
 "carry away such Armes from thence, as his discretion thought
 "fit to spare out of his Majesty's own Magazine: The choos-
 "ing a General by both Houses of Parliament, for the de-
 "fence of those who have obey'd their Orders and Commands,
 "be they never so extravagant, and illegal: Their Declara-
 "tion, that, in that case, they would live and dye with the
 "Earl of *Essex* their General (all which were Voted the same
 "day with this Petition) And the committing the Lord *Mayer*
 "of *London* to Prison, for excusing his Majesty's Writs, and
 "Lawful Commands; were but ill Prologues to a Petition,
 "which might compose the miserable Distractions of the
 "Kingdom; yet his Majesty's passionate desire of the Peace
 "of the Kingdom, together with the Preface of the Presen-
 "ters, That they had brought a Petition full of duty and sub-
 "mission to his Majesty; and which desir'd nothing of him,
 "but his consent to Peace (which his Majesty conceiv'd to be
 "the Language of both Houses too) begot a greedy hope, and
 "expectation in him, that this Petition would have been such
 "an Introduction to Peace, that it would, at least, have sa-
 "tisfied his Message of the eleventh of this Month, by deli-
 "vering up *Hull* unto his Majesty. But, to his unspeakable
 "grief, his Majesty hath too much cause to believe, that the
 "End of some Persons, by this Petition, is not in truth to give
 "any real satisfaction to his Majesty; but, by the specious
 "pretences of making offers to him, to mislead and seduce
 "his People, and lay some imputation upon him of denying
 "what is fit to be granted; otherwise, it would not have
 "thrown those unjust reproaches, and scandals upon his Ma-
 "jesty, for making a necessary and just defence for his own
 "safety.

“safety; and so peremptorily justified such Actions against him, as by no rule of Law or Justice can admit the least colour of defence: And, after so many free and unlimited Acts of Grace passed by his Majesty without any condition, have proposed such things which, in justice, cannot be denied unto him, upon such conditions as, in honour, he cannot grant. However, that all the world may see how willing his Majesty would be to embrace any overture, that might beget a right understanding between Him and his two Houses of Parliament (with whom, he is sure, he shall have no contention, when the private practices, and subtle insinuations of some few Malignant Persons shall be discovered; which his Majesty will take care shall be speedily done) he hath, with great care, weighed the Particulars of this Petition, and returns this Answer:

“THAT the Petitioners were never unhappy in their Petitions or Supplications to his Majesty, while they desired any thing which was necessary, or convenient for the preservation of God’s true Religion; his Majesty’s Safety, and Honour; and the Peace of the Kingdom: And therefore, when those general envious Foundations are laid, his Majesty could with some particular Instances had been applied. Let Envy and Malice object one particular Proposition for the preservation of God’s true Religion which his Majesty hath refused to consent to; what Himself hath often made, for the ease of tender Consciences, and for the advancement of the Protestant Religion, is notorious by many of his Messages and Declarations. What regard hath been to his Honour and Safety, when he hath been driven from some of his Houses, and kept from other of his Towns by Force: And what care there hath been of the Peace of the Kingdom, when endeavours have been used to put all his Subjects in Arms against him, is so evident, that, his Majesty is confident, he cannot suffer by those general Imputations. It is enough that the world knows what he hath granted, and what he hath denied.

“FOR his Majesty’s raising Forces, and making Preparations for War (whatsoever the Petitioners, by the evil Arts of the Enemies to his Majesty’s Person and Government, and by the calumnies, and slanders raised against his Majesty by them, are induced to believe) all Men may know what is done that way, is but in order to his own defence. Let the Petitioners remember, that (which all the world knows) his Majesty was driven from his Palace of *White-Hall*, for safety of his Life: That both Houses of Parliament, upon their own Authority, raised a Guard to themselves (having gotten the Command of all the Train’d-bands of *London* to
“that

" that purpose) without the least colour, or shadow of danger :
 " That they usurped a power, by their pretended Ordinance,
 " against all Principles and Elements of Law, over the whole
 " Militia of the Kingdom, without, and against his Majesty's
 " consent : That they took possession of his Town, Fort, and
 " Magazine of *Hull*, and committed the same to *Sr John Ho-*
 " *tham* ; who shut the Gates against his Majesty, and, by Force
 " of Armes, denied entrance thither to his own Person : That
 " they justified this Act which they had not directed; and took
 " *Sr John Hotham* into their protection for whatsoever he had
 " done, or should do, against his Majesty. And all this, whilst
 " his Majesty had no other attendance than his own Menial
 " Servants. Upon this, the Duty, and Affection of this Coun-
 " ty, prompted his Subjects here to provide a small Guard for
 " his own Person; which was no sooner done, but a Vote
 " suddainly passed of his Majesty's intention to levy War a-
 " gainst his Parliament (which, God knows, his heart abhor-
 " reth) and notwithstanding all his Majesty's Professions, De-
 " clarations, and Protestations to the contrary, seconded by
 " the clear Testimony of so great a Number of Peers upon the
 " place, Propositions and Orders for Levies of Men, Horse,
 " and Armes, were sent throughout the Kingdom; Plate and
 " Money brought in, and receiv'd; Horse and Men raised to-
 " wards an Army, Muster'd, and under Command: and all
 " this contrary to the Law, and to his Majesty's Proclama-
 " tion: And a Declaration published, that if he should use
 " Force for the recovery of *Hull*, or suppressing the pretended
 " Ordinance for the Militia, it should be held levying War
 " against the Parliament: And all this done, before his Maje-
 " sty granted any Commission for the levying, or raising a
 " Man. His Majesty's Ships were taken from him, and com-
 " mitted to the custody of the Earl of *Warwick*; who presumes,
 " under that power, to usurp to himself the Sovereignty of the
 " Sea, to chase, fright, and imprison such of his Majesty's good
 " Subjects, as desire to obey his Lawful Commands; although
 " he had notice of the legal Revocation of the Earl of *Nor-*
 " *thumberland's* Commission of Admiral, whereby all power
 " deriv'd from that Commission ceased.

" LET all the world now judge who begun this War, and
 " upon whose account the miseries, which may follow, must
 " be cast; what his Majesty could have done less than he hath
 " done; and whether he were not compell'd to make provisi-
 " on, both for the defence of himself and recovery of what is
 " so violently, and injuriously taken from him; and whether
 " these injuries, and indignities, are not just grounds for his
 " Majesty's fears and apprehensions of further mischief, and
 " danger to him. Whence the fears and jealousies of the Pen-
 " sioners

tioners have proceeded, hath never been discover'd; the dangers they have brought upon his Subjects are too evident; what those are they have prevented, no Man knows. And therefore his Majesty cannot but look upon that Charge as the boldest, and the most scandalous, hath been yet laid upon him; That this necessary provision, made for his own safety and defence, is to overrule the Judgement, and Advice of his Great Council; and by force to determine the Questions there depending, concerning the Government and Liberty of the Kingdom. If no other force had been raised to determine those Questions, than by his Majesty, this unhappy misunderstanding had not been: And his Majesty no longer desires the blessing, and protection of Almighty God upon Himself and his Posterity, than He, and They, shall solemnly observe the due execution of the Laws, in the defence of Parliaments, and the just Freedom thereof.

For the Forces about *Hull*, his Majesty will remove them, when he hath obtain'd the End for which they were brought thither. When *Hull* shall be again reduc'd to his subjection, he will no longer have an Army before it. And when he shall be assur'd, that the same Necessity and pretence of Publick Good, which took *Hull* from him, may not put a Garrison into *New-Castle* to keep the same against him, he will remove His from thence, and from *Timmouth*; till when, the example of *Hull* will not out of his memory.

For the Commissions of Array, which are legal, and are so proved by a Declaration now in the Press, his Majesty wonders why they should, at this time, be thought grievous, and fit to be recall'd; if the fears of Invasion and Rebellion be so great, that, by an illegal pretended Ordinance, it is necessary to put his Subjects into a posture of defence, to Array, Train, and Muster them, he knows not why the same should not be done in a regular, known, lawful way. But if, in the execution of that Commission, any thing shall be unlawfully imposed upon his good Subjects, his Majesty will take all just, and necessary care for their redress.

For his Majesty's coming nearer to his Parliament, his Majesty hath expressed himself so fully in his several Messages, Answers, and Declarations; and so particularly avow'd a real fear of his safety, upon such instances as cannot be Answer'd, that he hath reason to take himself somewhat neglected, That, since upon so manifest reasons it is not safe for his Majesty to come to them, both his Houses of Parliament will not come nearer to his Majesty; or to such a place where the freedom, and dignity of Parliament might be preserved. However, his Majesty shall be very glad to hear of some such example in their punishing the Tumults (which he knows not how to expect, when they have declar'd, That

"they knew not of any Tumults; though the House of Peers
 "desir'd, both for the Freedom and dignity of Parliament, that
 "the House of Commons would joyn with them in a Declara-
 "tion against Tumults; which they refused, that is, neglected
 "to do) and other seditious Actions, Speeches, and Writings,
 "as may take that apprehension of danger from him; though,
 "when he remembers the particular complaints Himself hath
 "made of busineses of that nature, and that, instead of inquir-
 "ing out the Authors, neglect of examination hath been, when
 "offer hath been made to both Houses to produce the Authors;
 "as in that Treasonable Paper concerning the Militia: And
 "when he sees every day Pamphlets published against his
 "Crown, and against Monarchy it self; as the Observations
 "upon his late Messages, Declarations, and Expressions; and
 "some Declarations of their own, which give too great encou-
 "ragement, in that Argument, to ill Affected Persons; his Ma-
 "jesty cannot, with confidence, entertain those Hopes which
 "would be most welcome to him.

"FOR the leaving Delinquents to the due course of Justice,
 "his Majesty is most assured there hath been no shelter to any
 "such. If the tediousness and delay in prosecution, the vast
 "charge in Officers fees, the keeping Men under a General ac-
 "cusation, without Trial, a whole year and more, and so al-
 "lowing them no way for their defence and vindication, hath
 "frighten'd Men away from so chargeable and uncertain at-
 "tendance, the Remedy is best provided, where the Disease
 "grew. If the Law be the measure of Delinquency, none Such
 "are within his Majesty's Protection: But if by Delinquents
 "such are understood, who are made so by Vote, without any
 "Trespas upon any known, or establish'd Law: If by Delin-
 "quents those nine Lords are understood, who are made De-
 "linquents for obeying his Majesty's Summons to come to
 "him, after their stay there was neither safe, nor honourable,
 "by reason of the Tumults, and other Violences; and whose
 "Impeachment, he is confident, is the greatest breach of Pri-
 "vilege, that, before this Parliament, was ever offer'd to the
 "House of Peers: If by Delinquents such are understood, who
 "refuse to submit to the pretended Ordinance of the Militia;
 "to that of the Navy; or to any other, which his Majesty hath
 "not consented to; such who for the Peace of the Kingdom,
 "in an humble manner, prepare Petitions to Him, or to both
 "Houses, as his good Subjects of *London* and *Kent* did; whilst
 "seditious ones, as that of *Essex*, and other places, are allow'd,
 "and Cherish'd: If by Delinquents such are understood, who
 "are call'd so for publishing his Proclamations, as the Lord
 "Mayor of *London*; or for reading his Messages and Declara-
 "tions, as divers Ministers about *London* and elsewhere; when
 "those against him are dispersed with all care and industry, to
 "poyson

"poysen and corrupt the Loyalty and Affection of his Peo-
 "ple: If by Delinquents such are understood, who have, or
 "shall lend his Majesty Money, in the Universities, or in any
 "other places: His Majesty declares to all the world That he
 "will protect Such with his utmost power and strength; and
 "directs, that, in these cases, they submit not to any Messen-
 "gers, or Warrant; it being no less his Duty to Protect those
 "who are Innocent, than to bring the Guilty to condign Pu-
 "nishment; of both which the Law is to be judge. And if
 "both Houses do think fit to make a General, and to raise an
 "Army for defence of those who obey their Orders, and
 "Commands, his Majesty must not sit still, and suffer such who
 "submit to his just power, and are solicitous for the Laws of
 "the Land, to perish, and be undone, because they are called
 "Delinquents: And when They shall take upon them to di-
 "spense with the attendance of those who are call'd by his
 "Majesty's Writ, whilst they send them to Sea, to rob his Ma-
 "jesty of his Ships; or into the several Counties, to put his
 "Subjects in Armes against him; his Majesty (who Only
 "hath it) will not lose the power to dispense with them to at-
 "tend his own Person; or to execute such Offices, as are neces-
 "sary for the preservation of Himself, and the Kingdom; but
 "must protect them, though they are call'd Delinquents.

"FOR the Manner of the proceeding against Delinquents,
 "his Majesty will proceed against those who have no Privilege
 "of Parliament, or in such cases where no Privilege is to be
 "allow'd, as he shall be advised by his Learned Council, and
 "according to the known, and unquestionable Rules of the
 "Law; it being unreasonable, that he should be compell'd to
 "proceed against those who have violated the known and un-
 "doubted Law, only before Them who have directed such
 "violation.

"HAVING said thus much to the Particulars of the Peti-
 "tion, though his Majesty hath reason to complain, that, since
 "the sending this Petition, they have beaten their Drums for
 "Soldiers against him; Arm'd their own General with a power
 "destructive to the Law, and Liberty of the Subjects; and
 "chosen a General of their Horse: His Majesty, out of his
 "Princely love, tenderness, and compassion of his People, and
 "desire to preserve the Peace of the Kingdom, that the whole
 "force and strength of it may be united for the defence of it
 "self, and the relief of *Ireland* (in whose behalf he conjures
 "both his Houses of Parliament, as they will answer the con-
 "trary to Almighty God, his Majesty, to those who trust
 "them, and to that bleeding miserable Kingdom, that they
 "suffer not any Moneys granted, and collected by Act of Par-
 "liament, to be diverted or imploy'd against his Majesty;
 "whilst his Soldiers in that Kingdom are ready to mutiny, or
 "perish

“perish for want of pay; and the barbarous Rebels prevail by
 “that encouragement) is graciously pleased once more, to
 “propose and require,

“THAT His Town of *Hull* be immediately deliver’d up
 “to him: Which being done (though his Majesty hath been
 “provoked by unheard of Insolences of *Sr John Hotham’s*,
 “since his burning and drowning the Country, in seizing his
 “Wine, and other provisions for his House, and scornfully
 “using his Servant, whom he sent to require them; saying,
 “it came to him by Providence, and he will keep it; and so
 “refusing to deliver it, with threats if He, or any other of his
 “fellow Servants, should again repair to *Hull* about it; and
 “in taking, and detaining Prisoners, divers Gentlemen, and
 “others, in their passage over the *Humber* into *Lincoln-shire*
 “about their necessary occasions; and such other indignities,
 “as all Gentlemen must resent in his Majesty’s behalf) his Ma-
 “jesty, to shew his earnest desire of Peace, for which he will
 “dispenſe with his own Honour, and how far he is from de-
 “fire of Revenge, will grant a free and general Pardon to all
 “Persons within that Town.

“THAT his Majesty’s Magazine, taken from *Hull*, be
 “forthwith put into such hands, as He shall appoint.

“THAT his Navy be forthwith deliver’d into such hands,
 “as he hath directed for the Government thereof: The de-
 “taining thereof after his Majesty’s Directions, publish’d and
 “receiv’d, to the contrary; and employing his Ships against
 “him in such manner, as they are now used, being notorious
 “High Treason in the Commanders of those Ships.

“THAT all Armes, Levies, and Provisions for a War,
 “made by the consent of both Houses (by whose Example his
 “Majesty hath been forced to make some Preparations) be im-
 “mediately laid down; and the pretended Ordinance for the
 “Militia, and all power of imposing Laws upon the Subject
 “without his Majesty’s consent, be disavow’d; without which,
 “the same Pretence will remain to produce the same Mischief.
 “All which his Majesty may as lawfully demand as to live,
 “and can with no more justice be denied him, than his Life
 “may be taken from him.

“THESE being done, and the Parliament adjourn’d to a
 “safe and secure place, his Majesty promises, in the presence
 “of God, and binds himself by all his Confidence and Af-
 “ſurance in the Affection of his People, that he will instantly,
 “and most chearfully, lay down all the Force he shall have
 “rais’d, and discharge all his future and intended Levies; that
 “there may be a general face of Peace over the whole King-
 “dom; and will repair to them: And desires, that all Dif-
 “ferences may be freely debated in a Parliamentary way;
 “whereby the Law may recover it’s due reverence, the Sub-
 “ject

“*ject* his just Liberty, and Parliaments themselves their full Vigour and Estimation; and to the whole Kingdom a blessed Peace, Quiet, and Prosperity.

“If these Propositions shall be rejected, his Majesty doubts not of the Protection and Assistance of Almighty God, and the ready Concurrence of his good Subjects; who can have no hope left them of enjoying their own long, if their King may be oppressed, and spoiled, and must be remediless. And though his Towns, his Ships, his Armes, and his Money, be gotten, and taken from him, he hath a good Cause left, and the Hearts of his People; which, with God’s blessing, he doubts not, will recover all the rest.

“LASTLY, if the preservation of the Protestant Religion, the defence of the Liberty and Laws of the Kingdom, the Dignity and Freedom of Parliament; and the recovery, and the relief of bleeding and miserable *Ireland*, be equally precious to the Petitioners, as they are to his Majesty (who will have no Quarrel but in defence of these) there will be a chearful and speedy consent to what his Majesty hath now proposed, and desir’d: And of this his Majesty expects a full and positive Answer, by *Wednesday* the 27th of this instant *July*; till when, he shall not make any Attempt of Force upon *Hull*, hoping in the Affection, Duty, and Loyalty of the Petitioners: And in the mean time, expects that no supply of Men be put into *Hull*; nor any of his Majesty’s Goods taken from thence.

THE whole Court, upon the hearing that Petition from the two Houses read, expressed a marvellous Indignation at the intolerable Indignities offer’d to the King by it; and seem’d no better satisfied with the Messengers; who had professed, that they brought an absolute submission to his Majesty; when in truth, what they brought, appear’d to be a full Justification of whatsoever they had done before, and an imply’d Threat of doing worse, and fixing all the Scandals upon his Majesty, which they had scatter’d abroad before: insomuch that all Men expected, and believ’d his Majesty to be engaged, for the vindication of his Princely Dignity and Honour, to return a much sharper Answer to them, than he had ever sent. So that, when this which is before set down (and which had before been consented too, and approv’d in the full Assembly of the Peers, and Counsellors) was read publicly, it was generally thought, that the King had not enough relented the Insolence, and Usurpation of the Parliament; or appear’d sensible enough of the Provocations: Yet the thought of a War, which Wise Men saw actually Levied upon the King already, was so much abhorrd, and Men were so credulous of every Expedient which was pretended for Peace, that, by the next morning

(the Answer being deliver'd in the evening) these active Messengers for the Parliament perswaded many "that the King's Answer was too sharp, and would provoke the Houses, who "were naturally passionate, to proceed in the high ways they "were in; whereas, if the King would abate that severity of "Language, and would yet take off the Preamble of his Answer, they were confident, and the Earl of *Holland* privately "offer'd to undertake, that satisfaction should be given to all "that his Majesty propos'd. And, by this means, some were so far wrought upon, as they earnestly importun'd the King, "that he would take his Answer, which he had publicly deliver'd the night before, from the Messengers; and, instead thereof, return only the Matter of his own Propositions, in "the most soft and gentle Language; without the Preamble, "or any mention of the unjustifiable, and unreasonable demeanour of the Parliament towards him.

BUT his Majesty reply'd, "that he had for a long time, "even after great provocations, and their first general Remonstrance to the People, treated with all imaginable compliance, "and lenity of words with them; and discover'd their unjustifiable and extravagant proceedings with and against him, and "the consequences that would inevitably attend their Progress in them, with such tender expressions, as if he believ'd "whatever was amiss to proceed from misinformation only, "and unskillful mistakes: That this gentleness, and regard of "his, was so far from operating upon them, that their Insolence, and Irregularities increas'd; and it might be from that "reason, that their Messages and Declarations were writ in so high a Dialect, and with that Sovereignty of Language, as if "He were subject to Their Jurisdiction; and did not know "but it might have some influence upon his People to his disadvantage, that is, raise terror towards Them, and lessen "their reverence towards his Majesty, when all their Petitions "and Propositions were more Imperative than His just, and "necessary Refusals: Which Condescension his Majesty had brought himself to, in hope, that His example, and Their "natural shame, would have reform'd that new Licence of words: That this last Address, under the name of a Petition "(a few days after they had violently ravish'd his whole Fleet from Him; and prepar'd the same day, that they had chosen "a General, to whom they had sworn Allegiance, to lead an "Army against him) contain'd a peremptory Justification of "whatsoever they had done; and as peremptory a Threatning "of whatsoever they could do: and therefore, if he should "now retract his Answer, which had been solemnly consider'd "in Council, before all the Peers, and which in truth implied "rather a Princely resentment of the Indignities offer'd to him, "than flow'd with any sharp or bitter Expressions, he should, "by

“by such yielding, give encouragement to new Attempts;
 “and could not but much discourage those, upon whose Af-
 “fections and Loyalty he was principally to depend; who
 “could not think it safe to raise themselves to an indignation
 “on his behalf, when He expressed so tender, or so little sense
 “of his own Sufferings: besides, that he was then upon an
 “avow’d Hostile Enterprize for the reduction of *Hull*; towards
 “which he was to use all possible means to draw a Force toge-
 “ther, equal to that Design; and by such a Retraction as this
 “proposed, and a seeming declension of his Spirit, and de-
 “pending upon their good natures, who had done all this mis-
 “chief, he should not only be inevitably disappointed of the
 “resort of new strength, but, probably, deserted by those few
 “whom he had brought together: That he could not reason-
 “ably, or excusably depend upon the undertaking of the Earl
 “of *Holland*; who had so grossly deceiv’d him in other under-
 “takings, which were immediately in his own Power to have
 “perform’d: whereas neither he, nor either of the other two
 “Gentlemen, who were joyn’d with him in this employment,
 “had so much interest with the Active and Prevailing Party,
 “as to know more of their Intentions than was at present
 “necessary to be discover’d for their Concurrence.

“He said, that he had never yet consented to any one par-
 “ticular, since the beginning of this Parliament, by which he
 “had receiv’d prejudice, at the doing whereof he had not the
 “solemn undertakings and promises of those, who were much
 “abler to justify their undertakings, than the Earl of *Holland*;
 “and upon whom he only depended, that it should be no
 “disservice to him, and would be an infallible means to com-
 “pass all that his Majesty desir’d: But he had always found
 “those Promisers and Undertakers, though they could emi-
 “nently carry on any Counsel, or Conclusion, that was against
 “Law, Justice, or His Right, had never Power to reduce, or
 “restrain those agitations within any bounds of Sobriety, and
 “Moderation: And when they found, that many would not
 “be guided by them, that they might seem still to Lead, them-
 “selves as furiously Follow’d the others; and resorted again to
 “his Majesty with some new Expedient; as destructive as the
 “former. So that he was resolv’d to rely upon God Almighty,
 “and not so much to depend upon what might possibly pre-
 “vail upon the Affections of those, from whom, reasonably,
 “he could not expect any good, as upon such plain and avow’d
 “courses, as, let the success be what it would, must, to all
 “judging Men, appear to be prudently, and honourably rely’d
 “on: And therefore he positively refused to make the least
 “alteration in his Answer: And to the Messengers departed,
 “leaving the Court and Country worse affected than they found
 “it; and branding some particular Persons, whom they found

less inclin'd to be rul'd by their professions and promises, "as the Authors of a Civil War: And making them as odious as they could; where ever they came.

AND sure, from that time, the Earl of *Holland* was more transported from his natural temper and gentleness of disposition, into Passion and Animosity against the King, and his Ministers; and, having been nothing pleased with his own Condition at *London*, finding the Earl of *Essex* (whom he did not secretly love, and did indeed contemn) to draw all Men's Eyes towards him, and to have the greatest Interest in their Hearts, he had seriously intended, under colour of this Message to the King, to discover if there were any sparks yet left in his Royal breast, which might be kindled into affection, or acceptance of his Service; and hoped, if he could get any Credit, to redeem his former Trespases: But when he not only found his Majesty cold towards him, but easily enough discern'd, by his reception, that all former inclinations were dead, and more than ordinary prejudices grown up towards him in their places, and that his Advices were rejected, he return'd with rancour equal to the most furious he went to; and heartily joy'n'd and concurr'd towards the suppressing that Power, in the Administration whereof he was not like to bear any part.

HIS Majesty having, by his Answer, oblig'd himself not to make any forcible Attempt upon *Hull* till the 27th of *July*, by which time he might reasonably expect an Answer to his Propositions, in the mean time resolv'd to make some short progress into the Neighbour Counties; and accordingly, the same day the Messengers departed, the King went to *Derby*; and the next day to *Nottingham*; and so to *Leicester*; where he heard, the Earl of *Stamford*, and some other Parliament Men, were executing the Ordinance of the Militia: But, before his Majesty came thither, they remov'd themselves to *Northampton*; a Town so true to them, as, if they had been pursued, would have shut their Gates against the King himself, as *Hull* had done.

AT *Leicester* the King was receiv'd, with great expressions of Duty and Loyalty, by the appearance of the Train'd-bands, and full Acclamations of the People; yet there were two Accidents that happen'd there, which, if they be at all remember'd, will manifest, that if the King were Lov'd there as he ought to be, that the Parliament was more Fear'd than He. It happen'd to be at the time of the general Assizes, and Justice Reeve (a Man of a good reputation for Learning, and Integrity; and who, in good Times, would have been a good Judge) sat there as Judge; and Mr *Henry Hastings*, younger Son to the Earl of *Huntington*, was purposely made High Sheriff, to contain the County within the limits of their Duty by the Power of that Office, as well as by the Interest, and Relation
of

of his Family. The Earl of *Stamford*, and his Assistants, had departed the Town but few hours before his Majesty's entrance; and had left their Magazine, which was indeed the Magazine of the County, in a little Store-house at the end of the Town, guarded by some inferior Officers whom they had brought down to Train and Exercise the Militia, and other zealous and devoted Men of the County, in all to about the Number of 25, who had barricadoed the door of the House; and professed "to keep it against all demanders; having provisions within it of all sorts. The King was very unwilling (coming in so peaceable a manner, at so peaceable a time) to take any notice of it. On the other hand, it was an Act of too great Insolence to be suffer'd; and, upon the matter, to leave a Garrison of the Rebels in possession of the Town; and therefore he sent word to the Judge, "that if He took not some "legal way to remove such a Force so near his Majesty, his "Majesty would do it in some Extraordinary course! Which, upon the sudden, would have puzzled him to have done; having neither Soldier, Cannon, nor Powder to effect it; the want of which as much troubled the Sheriff. In the end, the Gentlemen of the Country, who had not yet otherwise declar'd themselves on either side, than by waiting on his Majesty, finding that the King would not go from the Town, till that Nuisance was remov'd; and that it might bring Inconveniences, Charge, and Mischief to the County of a high nature; so prevail'd, that, as his Majesty was contented to take no notice of it, so they within the House, in the night, upon assurance of Safety, and Liberty to go whither they would, removed and left the House; and so that matter was quieted.

THE other Accident was, or was like to have proved, more Ridiculous: Some of the King's Servants, hearing that the Earl of *Stamford*, and the other Militia Men were newly gone out of the Town, had of themselves coming thither before the King, Galloped after them; intending to have apprehended them, and brought them before the King; and, though the other were too Fleet for them, had, in the way, overtaken Dr *Bastwick*, a Man well known, who had been a principal Officer with them at *Leicester*, and fled at the same time, but could not keep pace with his Commanders: Him they brought to the Town, where, by the Sheriff, he was committed to Prison; having confessed enough Treason, and justifying it, as would have justly hanged any Subject. The King thought once to have had him Indicted then, at the Assizes, upon the plain Statute of 25. E. III. But the Judge besought his Majesty not to put a matter of so great moment, upon which the Power of the two Houses of Parliament, and a Parliament sitting, must be determin'd, before one single Judge, whose Reputation was not enough to bear so great a burthen; however, he

he declar'd his own opinion fully to his Majesty, "that it was
 "Treason; which, he believ'd, all the other Judges must ac-
 "knowledge; and if Conven'd together by his Majesty to that
 "purpose, he thought a joynt Declaration, and Resolution of
 "all together might be of great use to the King; whereas the
 "publishing of his particular opinion could only destroy him-
 "self, and nothing advance his Majesty's Service: Besides,
 "he had no reason to be so confident of the Country, as to con-
 "clude that a Jury, then suddainly Summon'd, would have
 "Courage to find the Bill; and then their not doing it, if it
 "were attempted, would prove a greater countenance to the
 "Ordinance, than the Votes of the two Houses had yet given
 "it. This last reason gave his Majesty satisfaction; so that he
 "was contented that the fellow should be kept in Prison, and the
 "Tryal be deferr'd, till he could conveniently Summon more
 "Judges to be present.

His Majesty was no sooner perswaded to be content that
 this Prosecution might be suspended, but the close Agents for
 the Parliament's Service, who were not yet discover'd, but ap-
 pear'd very entire to the King, so dextrously carried themselves,
 that they prevail'd with those Gentlemen of the County,
 whose Zeal to his Majesty was most eminent and unquestion-
 able, and even with the Judge himself, "to wish, that his Ma-
 "jesty would freely and graciously discharge the Doctor of his
 "Imprisonment; or give the Judge leave to do so upon a *He-
 "beas Corpus* (which he was advised to require) "And that it
 "would be such an Act of Mercy, and singular Justice, that
 "would not only work upon the People of that County to
 "his Majesty's advantage, but must have a great influence
 "upon the whole Kingdom, and even upon the Parliament it
 "self. And with this strange desire the good Judge, and those
 principal Gentlemen, confidently came to the King, the night
 before he intended to return Northward. His Majesty told
 them, "he would think of it till the next morning. And, in
 the mean time, concluding by what he heard, that though he
 should refuse to discharge him, or to consent that he should be
 discharg'd, his restraint would not be long in that place after
 His departure, the People already resorting to him with great
 Licence, and the Doctor, according to his Nature, talking Sedi-
 tiously and Loudly, he directed "a Messenger of the Chamber
 "very early, with such assistance as the Sheriff should give
 "him, to carry him away to *Nottingham*; and by the help of
 "that Sheriff, to the Goal at *York*: Which was executed ac-
 "cordingly with expedition, and secrecy; if either of which had
 been absent, it is certain the Common People had rescued him;
 which, of how trivial a moment soever it shall be thought, I
 could not but mention as an instance of the Spirit and Temper
 of that time, and of the great Disadvantage the King was upon,
 that

that so many good Men thought fit, at a time, when very many hundreds of Persons of Honour, and Quality, were Imprison'd with all strictness and severity by the Parliament, upon the bare suspicion that they meant to go to the King, or that they wished well to him, or for not submitting to some illegal Order, or Command of Theirs, that the King should discharge an infamous Person, taken in an Act of High Treason, and who more frankly and avowedly professed Sedition, than he did the Science of which he pretended to be Doctor.

THE King, according to his appointment, return'd towards *Hull*, in expectation of an Answer from the Parliament; which came two days after the appointed day, but with no solemnity of Messengers, or other ceremony, than inclosed to one of the Secretaries to be presented to the King, in which they told him,

"THAT they could not, for the present, with the discharge
 "of the Trust reposed in them for the safety of the King and
 "Kingdom, yield to those Demands of his Majesty: the rea- *The Parlia-*
 "son why they took into their Custody the Town of *Hull*, the *ments Repli-*
 "Magazine, and Navy; passed the Ordinance of the Militia; *cation July*
 "and made preparation of Armes; was for security of Reli- *26. 1642.*
 "gion, the safety of his Majesty's Person, of the Kingdom, and
 "Parliament; all which they did see in evident, and imminent
 "danger; from which when they should be secur'd, and that
 "the Forces of the Kingdom should not be used to the destru-
 "ction thereof, they should then be ready to withdraw the
 "Garrison out of *Hull*; to deliver the Magazine and Navy;
 "and settle the Militia, by Bill, in such a way as should be ho-
 "nourable and safe for his Majesty; most agreeable to the du-
 "ty of Parliament; and effectual for the good of the King-
 "dom; as they had professed in their late Petition. And for Ad-
 "journing the Parliament, they apprehended no reason for his
 "Majesty to require it; nor security for themselves to consent
 "to it. And as for that reason which his Majesty was pleased
 "to express, they doubted not but the usual place would be as
 "safe for his Royal Person, as any other; considering the full
 "Assurance they had of the Loyalty, and Fidelity of the City
 "of *London* to his Majesty; and the care which his Parlia-
 "ment would ever have to prevent any danger, which his
 "Majesty might justly apprehend; besides the manifold con-
 "veniences to be had there, beyond any other parts of the
 "Kingdom. And as for the laying down of Armes; when the
 "causes which moved them to provide for the defence of his
 "Majesty, the Kingdom, and Parliament, should be taken away,
 "they should very willingly, and cheerfully forbear any fur-
 "ther Preparations, and lay down their Forces already raised.

WHICH Replication, as they call'd it, to his Majesty's Answer, they order'd "to be Printed, and read in all Churches,
 "and Chapels within the Kingdom of *England*, and Dominion
 "of *Wales*. AND

AND so the War was now denounc'd by their express Words against his Majesty; as it had been long before in their Actions; and both Parties seem'd to give over all thoughts of further Treaties, and Overtures; and each prepar'd to make themselves considerable by the strength and power of such Forces as they could draw together.

IN *London* they intended nothing but the forming of their Army, and such other things of power, as were in order thereunto. To that purpose, the Bill for the payment of Tonnage and Poundage being expir'd, on the first day of *July*, and they having sent another of the same nature to the King for his consent, for six Months longer, his Majesty, since he saw that, and all other Money properly belonging to him, violently taken from him, and imploy'd by them against him, refused to give his Royal Assent thereunto: Whereupon, without the least hesitation (albeit it had been enacted this very Parliament, "that whosoever should presume to pay, or receive that duty, "after the expiration of the Act, before the same was granted "to his Majesty with the consent of the Lords and Commons, "should be in a *Præmunire*; which is the heaviest punishment inflicted by Law, but the loss of Life) they appointed and order'd by the Power of the two Houses (which they call'd an Ordinance of Parliament) "that the same duty should be "continu'd; and declared that they would save all Persons "concern'd, from any Penalty or Punishment whatsoever: By, which they now became possess'd of the Customs, in their own right.

TOWARDS such, as any ways (though under the obligation of Oaths or Offices) oppos'd, or discountenanced what they went about, they proceeded with the most extravagant severity that had been ever heard of; of which I shall only mention two instances; the First, of the Lord Mayor of *London*, *St Richard Gourney*, a Citizen of great Wealth, Reputation, and Integrity; whom the Lords had, upon the complaint of the House of Commons, before their sending the last Petition to the King (of which his Majesty gave them a touch in his Answer) committed to the Tower of *London*: for causing the King's Proclamation against the Militia, by vertue of his Majesty's Writ to him directed, and according to the known duty of his place, to be publickly Proclaim'd. And shortly after, that they might have a Man more compliant with their designs to govern the City, notwithstanding that he insist'd upon his Innocence, and made it appear that he was oblig'd by the Laws of the Land, the Customs of the City, and the Constitution of his Office, and his Oath, to do whatsoever he had done: He was by their Lordships, in the presence of the Commons, adjudg'd "to be put out of his Office of Lord Mayor "of *London*; to be utterly incapable of bearing Office in City
"or

“or Kingdom, and of all Honour or Dignity; and to be imprisoned, during the pleasure of the two Houses of Parliament. And, upon this sentence, Alderman *Pennington*, so often before mention’d, was, by the noise and clamour of the Common People, against the Customs and Rules of Election, made Mayor; and accordingly installed; and the true, old, worthy Mayor committed to the Tower of *London*; where, with notable courage and constancy, he continu’d almost to his Death.

THE other Instance, I think fit to mention, is that of Judge *Mallet*; who, as is before remember’d, was committed to the Tower the last Lent, for having seen a Petition prepar’d by the grand Jury of *Kent*, for the Countenance of the Book of Common Prayer, and against the imposition of the Militia by Ordinance without the Royal Assent. This Judge (being, this Summer Circuit, again Judge of Assize for those Counties) sitting at *Maidstone* upon the great Assize, some Members of the House of Commons, under the Style and Title of a Committee of Parliament, came to the Bench; and, producing some Votes, and Orders, and Declarations of one or both Houses, “re-“quir’d him, in the name of the Parliament, to cause those “Papers (being on the behalf of the Ordinance of the Militia, and against the Commission of Array) “to be read. He told them, “that he sat there by vertue of his Majesty’s Commission; and that he was authoriz’d to do any thing compris’d “in those Commissions; but he had no Authority to do any “thing else; and therefore, there being no mention, in either “of his Commissions, of those Papers, or the Publishing any “thing of that nature, he could not, nor would not do it; and so (finding less respect and submission, than they expected, both to their Persons and their Business, from the Learned Judge, and that the whole County, at least the prime Gentlemen and the Grand Jury, which represented the County, contemn’d both much more) this Committee return’d to the House with great exclamations against Mr Justice *Mallet*, “as the Fomentor and Protector of a Malignant Faction against the “Parliament. And, upon this Charge, a Troop of Horse was sent to attend an Officer; who came with a Warrant from the Houses, or some Committee (whereas Justice *Mallet*, being an Assistant of the House of Peers, could not Regularly be summon’d by any other Authority) to *Kingston* in *Surrey*, where the Judge was keeping the general Assizes for that County; and, to the unspeakable Dishonour of the Publick Justice of the Kingdom, and the Scandal of all Ministers or Lovers of Justice, in that violent manner took the Judge from the Bench, and carried him Prisoner to *Westminster*; from whence, by the two Houses, he was committed to the Tower of *London*; where he remain’d for the space of above two years, without
ever

ever being charg'd with any particular Crime, till he was redeem'd by his Majesty by the exchange of another, whose liberty they desir'd.

By these heighten'd Acts of Power and Terror, they quickly demonstrated, how unsecure it would be for any Man, at least not to concur with them. And, having a General, Armes, Money, and Men enough at their devotion, they easily form'd an Army, publicly disposing such Troops and Regiments, as had been rais'd for *Ireland*, and, at one time, one hundred thousand pounds of that Money, which, by Act of Parliament, had been paid for that purpose, towards the constituting that Army, which was to be led against their Lawful Sovereign. So that it was very evident, they would be in such an Equipage within few Weeks, both with a Train of Artillery, Horse and Foot, all taken, arm'd, furnish'd, and supplied out of his Majesty's own Magazines and Stores, that they had not reason to fear any opposition. In the mean time, they declar'd, and publish'd to the People, "that they rais'd that Army, only
"for the defence of the Parliament, the King's Person, and the
"Religion, Liberty, and Laws of the Kingdom, and of those,
"who, for Their sakes, and for those Ends, had obey'd their
"Orders: That the King, by the instigation of evil Coun-
"sellors, had rais'd a great Army of Papists; by which he in-
"tended to awe, and destroy the Parliament; to introduce
"Popery, and Tyranny: Of which intention, they said, his re-
"quirring *Hull*; his sending out Commissions of Array; be-
"speaking Armes and Ammunition beyond the Seas (there
"having been some brought to him by the Ship call'd the Pro-
"vidence) his declaring *Sr John Hotham* Traytor; and the
"putting out the Earl of *Northumberland* from being Lord
"High-Admiral of *England*; his removing the Earl of *Pembroke*, *Essex*, *Holland*, the Lord *Fielding*, and *Sr Henry Vane*,
"from their several places and Employments; were sufficient
"and ample evidences: And therefore, they conjur'd all Men,
"to assist their General, the Earl of *Essex*. And, for their bet-
ter and more secret transaction of all such Counsels, as were
necessary to be enter'd upon, or follow'd, they made a Com-
mittee, of some choice Members of either House, to intend
the great business of the Kingdom with reference to the Ar-
my; who had Authority, without so much as communicating
the matter to the House, to imprison Persons, seize upon their
Estates; and many other Particulars, which the two Houses,
in full Parliament, had not the least Regular, Legal, Justifiable
Authority to do. And for the better encouragement of Men
to engage in the Service, the Lord *Kimbolton*, and the five
Members of the House of Commons, formerly accused by his
Majesty of High Treason, upon solemn Debate, had several
Regiments conferr'd on them; and, by their example, many
other

other Members of both Houses, some upon the lowness, and decayedness of their Fortunes, others to get name and reputation to be in the number of Reformers (amongst whom they doubted not all Places of Honour, or Offices of profit, would be bestow'd) most upon the confidence, that all would be ended without a Blow, by the King's want of power to gather strength, desir'd and obtain'd Command of Horse or Foot; their Quality making amends for their want of experience, and their other defects; which were repair'd by many good Officers both *English*, and *Scots*; the late Troubles having brought many of that tribe to *London*, and the reputation of the Earl of *Essex* having drawn others, out of the Low-Countries, to engage in that Service. In the choice of which Officers, whilst they accused the King of a purpose to bring in a Foreign Force, and of entertaining Papists, they neither consider'd Nation nor Religion; but entertain'd all Strangers, and Forreigners, of what Religion soever, who desir'd to run their Fortune in the War.

ON the other side, Preparations were not made with equal expedition, and success by the King, towards a War: For, though he well understood, and discern'd, that he had nothing else to trust to, he was to encounter strange Difficulties to do that. He was so far from having Money to levy, or pay Soldiers, that he was, at this very time, compell'd for very real want, to let fall all the Tables kept by his Officers of State in Court, by which so many of all qualities subsisted; and the Prince, and Duke of *York*, eat with his Majesty; which Table only was kept. And whoever knows the Constitution of a Court, well knows what indispositions naturally flow from those declensions; and how ill those Tempers bear any diminution of their own Interests; and, being once indisposed themselves, how easily they infect others. And that which made the present want of Money the more intolerable, there was no visible hope from whence supply could come, in any reasonable time: And that which was a greater want than Money, which Men rather fear'd than found, there were no Armes; for, notwithstanding the fame of the great Store of Ammunition, brought in by that Ship, it consisted only in truth of Cannon, Powder, and Bullet, with eight hundred Musquets, which was all the King's Magazine. So that the hasting of Levies, which at that time was believ'd would not prove difficult, would be to little purpose, when they should continue unarm'd. But that which troubled the King more than all these real incapacities of making War, was the temper and constitution of his own Party; which was compounded, for the most part, in Court, Council, and Country, of Men drawn to him by the impulsion of Conscience, and abhorring the unjust and irregular proceedings of the Parliament; other-

wile

wife unexperienced in Action, and unacquainted with the Myſteries, and neceſſary Policy of Government; ſevere obſervers of the Law, and as ſcrupulous in all matters relating to it, as the other pretended to be. All his Maſteſty's Ancient Counſellors, and Servants (except ſome few of laſting Honour, whom We ſhall have occaſion often to mention) that they might redeem former overſights, or for other unworthy deſigns, being either publickly againſt him in *London*, or privately diſcrediting his Intereſt and Actions, in his own Court. Theſe Men ſtill urg'd "the execution of the Law; that what "extravagances ſoever the Parliament practiced, the King's "obſervation of the Law would, in the end, ſuppreſs them all. And, indeed, believ'd the raiſing a War to be ſo wicked a thing, that they thought it impoſſible the Parliament ſhould intend it, even when they knew what they were doing. However they concluded, "that he that was forwardſt in the pre-
"paring an Army, would be firſt odious to the People; by "the affections of whom, the other would be eaſily ſuppreſt.

THIS was the general receiv'd Doctrine; and though it appear'd plainly to others (of equal affection to the Publick Peace) how fatal thoſe Concluſions, in that ſenſe in which they were urg'd, muſt prove to the whole Kingdom; and how ſoon the King muſt be irrecoverably loſt, if he proceeded not more vigorously in his defence; yet even thoſe Men durſt not, in any form'd and publick Debate, declare themſelves; or ſpeak that plain Engliſh the State of Affairs requir'd; but ſatisfied themſelves with ſpeaking, what they thought neceſſary, to the King in Private; by which means the King wanted thoſe firm, and ſolid foundations of Counſel and Forefight, that were moſt neceſſary for his condition: So that he could neither impart the true motives, and grounds of any important Action, nor diſcover the utmoſt of his Deſigns. And ſo he ſtill ſeem'd (notwithſtanding the greateſt, and avow'd preparations of the Enemy) to intend nothing of Hoſtility, but in order to the reducing of *Hull*; the benefit of which he hoped, would engage the Train'd-bands of that great County (which was the ſole ſtrength he yet drew thither) till he could bring other Forces thither, which might be fit for that, or any other Deſign.

BUT there was another Reaſon of his Maſteſty's going to, and ſtaying at *Beverly*, than was underſtood; and, it may be, if it had been known, might have produc'd a better Effect; which I think neceſſary to infer in this place. The Lord *Digby*, whom We have mention'd before, in the firſt diſorder, by which the King and Queen were driven from *London*, to have left *England*, and to be after unreaſonably accuſed by the Houſe of Commons of High Treason, had remain'd from that time in *Holland*; and, hearing the King's condition at
Tork,

York, to be so much improved beyond what he left it at *Windsor*, had, with some Commands from the Queen, arriv'd there very privately, and stay'd some days in a disguise at *York*, revealing himself to very few Friends, and speaking with the King in so secret a manner in the night, that no notice was taken of his being there; and, finding the King's Affairs not in so good a posture as he expected, and conceiving it yet not fit for him to appear, resolv'd to return again to the Queen, and to hasten that provision of Armes and Ammunition, without which it was not possible for the King to resist any violence that threaten'd him; and so, in the same Bark which brought him over, he went again to Sea for *Holland*, with *Wilmot*, *Asburnham*, *Pollard*, and *Berkley*; who purposely remov'd themselves from Court, upon the clamour of the Parliament, till the King was ready to use their Service. They were not many hours at Sea, when they met the *Providence* (which We mention'd before) with the Ammunition, which was only wanted; and, well knowing her, they agreed, "that *Wilmot*, "*Pollard*, and *Berkley*, should return with the Ammunition to "the King; and *Digby*, and Coll. *Asburnham*, should pursue "their former Intentions for *Holland*. But their Parties continued so long, that the Parliament Ships, who had watched and chased the *Providence*, came up to them, and though the Ship escaped, and run on shore, as was before mention'd, yet the Fly-boat, in which the Lord *Digby* was, could not so well get away; but was taken by them, and carried in with so much the more triumph into *Hull*, that they had been disappointed of their greater Prize. Coll. *Asburnham*, though he was in great umbrage with the Parliament, and one of those Delinquents, whom they reproached the King with, was so well known to Sr *John Hotham*, with whom he stood in a good degree of familiarity, that he could not dissemble or conceal himself; but the Lord *Digby*, being in so real a disguise, that his nearest friends would not easily have known him, pretended to be a French-man, whose Language he spoke excellently; and seem'd to be so Sea-sick, that he kept himself in the hole of the Bark, till they came to *Hull*; and, in that time, disposed of such Papers as were not fit to be perused; and when he came on Shore, so well counterfeited sickness, and want of health, that he easily procured himself to be sent, under a Guard, to some obscure corner for repose; whilst Coll. *Asburnham*, who was the only Prisoner they thought worth the looking after, was carefully carried to the Governour; who receiv'd him with as much Civility, as he could reasonably expect.

THE Lord *Digby*, being by himself, quickly consider'd the desperateness of his condition: "That it would not be "possible to conceal himself long, being so well known to many

The Lord
Digby's
transactions,
with Sr John
Hotham, at
Hull.

" who were in the *Providence*, and the Garrison quickly know-
 " ing whatsoever was spoken of in the Country : That he
 " was, how unjustly, or unreasonably soever, the most odious
 " Man in the Kingdom to the Parliament ; into whose hands if
 " he should then come, his Life would be, at least, in apparent
 " hazard : And how to get himself out of that Labyrinth was
 very difficult, since *St John Hotham* was so far from any incli-
 nation of kindness towards him, as he had own'd to *Coll. Ash-*
burnham, that he was in the Number of his most notorious
 Enemies. However, in this eminent extremity (as he is a Man
 of the greatest presence of mind, and the least appalled upon
 danger, that I have known) he resolv'd, not to give himself
 over ; and found means to make one of his Guard, in broken
English, which might well have become any *French*-man, un-
 derstand, " that he desired to speak privately with the Gover-
 " nour ; and that he would discover some Secrets of the King's,
 " and Queen's to him, that would highly advance the Service
 " of the Parliament. The Fellow made haste to let the Gover-
 nour know these good tidings ; who understanding *French*
 well, as speedily sent for the *French*-man ; who was brought
 before him in the presence of much company, and, without
 any disorder, gave such an account of himself, as they under-
 stood him to have seen much of the *French* Service (of which
 he spoke very fluently) and to have come over recommended
 to the King for some Command, if he should have occasion to
 use Soldiers ; as, he said, People abroad conceiv'd him likely
 to have. After he had entertain'd the company with such dis-
 course, there being present some Gentlemen, who came late-
 ly out of *France*, and so being the more curious to administer
 questions, he applied himself to the Governour ; and told him,
 " that if he might be admitted to privacy with him, he would
 " discover somewhat to him, which he would not repent to
 " have known. The Governour, who was a Man apt enough
 to fear his own safety, but more apprehensive of the Jeal-
 ousies which would attend him (for his eldest Son, and some
 others, were more absolutely confided in by the Parliament
 than himself, and were in truth but Spies over him) would
 not venture himself in another Room ; but drew him to a
 great Window at a convenient distance from the company,
 and wish'd him " to say what he thought fit. The Lord *Digby*,
 finding he could not obtain more privacy, asked him, in *En-*
glish, " whether he knew him ? the other, surpris'd, told him,
 " No ; Then, said he, I shall try whether I know *St John Ho-*
 " *tham* ; and whether he be, in truth, the same Man of Ho-
 " nour, I have always taken him to be : And, thereupon, told
 him who he was ; and " that he hoped he was too much a Gen-
 " tleman to deliver him up a sacrifice to their rage and fury,
 " who,

“who, he well knew, were his implacable Enemies. The other, being astonish’d, and fearing that the By-standers would discover him too (for, being now told who he was, he wonder’d he found it not out Himself) he desired him “to say no more for the present ; that he should not be sorry for the trust he repos’d in him, and should find him the same Man he had thought him : That he would find some time, as soon as conveniently he might, to have more conference with him. In the meantime, that he should content himself with the ill accommodation he had, the amendment whereof would beget suspicion : and so he called the Guard, instantly to carry him away, and to have a very strict Eye upon him ; and, turning to the Company, and being conscious to himself of the trouble and Disorder in his Countenance, told them, “that the *French*-man was a shrewd Fellow, and understood more of the Queen’s Counsels and designs, than a Man would suspect : That he had told him that which the Parliament would be glad to know ; to whom presently he would make a dispatch, though he had not yet so clear informations, as, he presum’d, he should have after two or three days : And so departed to his Chamber.

It was a wonderful influence, that this Noble Person’s Stars (which us’d to lead him into, and out of the greatest perplexities and dangers, throughout the whole course of his Life) had upon this whole affair. *Hotham* was, by his nature, and education, a rough and a rude Man ; of great covetousness, of great pride, and great ambition ; without any Bowels of good nature, or the least sense or touch of generosity ; his parts were not quick and sharp, but compos’d, and he judg’d well ; he was a Man of craft, and more like to deceive, than to be couzen’d : Yet, after all this, this young Noble Man, known, and abhorr’d by him, for his admirable faculty of Disimulation, had so far prevail’d, and impos’d upon his spirit, that he resolv’d to Practice that Virtue, which the other had Imputed to him ; and not to suffer him to fall into the hands of his Enemies. He sent for him, the next day, at an hour when he was more vacant from attendants, and observers ; and, at first, told him his resolution ; “that, since he had so frankly put himself into his hands, he would not deceive his Trust ; and wish’d him “to consider, in what way, and by what course, he should so set him at Liberty, that he might, without any other danger, arrive at the place where he would be. For, he said, he would not trust any Person living with the Secret, and least of all his Son ; whom he mention’d with all the bitterness imaginable, “as a Man of an ill nature, and “furiously addicted to the worst designs the Parliament had, “or could have ; and One that was more depended upon by

“them than Himself, and sent thither only as a Spy upon him. From hence he enter’d upon the discourse “of the times, and “mischief that was like to befall the whole Kingdom, from the “difference between the King and the Parliament. Then lamented his own Fate, “that, being a Man of very different “Principles from those who drove things to this extremity, “and of entire affection and duty to the King, he should now “be look’d upon as the chief ground, and cause of the Civil “War which was to ensue, by his not opening the Ports, “when the King would have enter’d into the Town: Of which business, and of all the circumstances attending it, he spake at large; and avow’d, “that the information sent him of the “King’s purpose presently to hang him, was the true cause of “his having proceeded in that manner.

THE Lord Digby, who knew well enough how to cultivate every period of such a discourse, and how to work upon those Passions which were most predominant in him, joy’d with him in the sense of the Calamities, which were like to befall the Nation; which he bewail’d Pathetically; and, “that it “should be in the power of a handful of ill Men, corrupted “in their Affections to the King, and against Monarchy it “self, to be able to involve him, and many others of his dear “intentions, in their dark Counsels, and to engage them to “prosecute ends which they abhor’d, and which must determine in the ruin of all the undertakers. For, he told him, “that the King, in a short time, would reduce all his Enemies: That the hearts of the People were already, in all “places, aliened from them; and that the Fleet was so much “at the King’s disposal, that, as soon as they should receive his “Orders, they would appear in any place he appointed: That “all the Princes in *Christendom* were concern’d in the quarrel, “and would engage in it, as soon as they should be invited to “it: And that the Prince of *Orange* was resolv’d to come over “in the head of his Army, and would take *Hull* in three days. All which ought, reasonably, to have been true in the Practick, though it had very little ground in the Speculation. And when he had, by degrees, amused and terrified him with this discourse, he enlarged upon “the Honour and Glory, that Man “would have, who could be so blessed, as to prevent this terrible Confusion, that was in view: That King and People “would joyn in rewarding him with Honours, and Preferments of all kind; and that his Name would be derived to “Posterity, as the Preserver of his Country. He told him, “He was that Man, that could do all this; that, by delivering “up *Hull* to the King, he might extinguish the War; and that “immediately a Peace would be establish’d throughout the “Kingdom: That the world believ’d, that he had some cre-

“dit both with the King, and Queen; that he would employ
 “it all in his Service; and if he would give him this rise to be-
 “gin upon, he should find, that he would be much more solli-
 “citous for his Greatness, and a full recompence for his Merit,
 “than he was now for his own safety. All these Advertifements,
 “and Reflections, were the subject of more than one dis-
 “course; for *Sr John Hotbam* could not bear the variety, and
 “burthen of all those thoughts together; but within two days
 “all things were adjusted between them. *Hotbam* said, “it
 “would not become him, after such a refusal, to put the Town
 “into the King’s hands; nor could he undertake (if he re-
 “solv’d) to effect it; the Town it self being in no degree af-
 “fected to his Majesty’s Service; and the Train’d-bands, of
 “which the Garrison wholly consisted, were under Officers
 “upon whom he could not depend. But, he said, if the King
 “would come before the Town, though but with one Regi-
 “ment, and plant his Cannon against it, and make but one
 “shot, he should think he had discharged his Trust to the Par-
 “liament, as far as he ought to do; and that he would imme-
 “diately then deliver up the Town; which he made no doubt
 “but that he should be then able to do. And, on this errand,
 “he was contented the Lord *Digby* should go to the King, and
 “be conducted out of the Town beyond the limits of danger;
 “the Governour having told those Officers he trusted most, that
 “he would send the *French*-man to *Tork*; who, he was well
 “assured, would return to him again. He gave him likewise
 “a note to a Widow, who liv’d in that City, at whose House
 “he might Lodge, and by whose hands he might transmit any
 “Letters to him.

WHEN he came to *Tork*, and after he had spoke with the
 “King, it was resolv’d, he should appear in his own likeness,
 “and wait upon the King in Publick, that it might be believ’d,
 “that he had Transported himself from *Holland* in the Ship that
 “brought the Ammunition; which was hardly yet come to *Tork*,
 “it being now about the time that *Mr Villiers*, and *Sr John Pen-
 “nington* had been sent away, and before the news came of their
 “ill Success. This was the cause of the suddain March towards
 “*Hull*, before there was a Soldier levied to make an Assault, or
 “maintain a Siege; which was so much wonder’d at then, and
 “so much censur’d afterwards. For as soon as his Majesty re-
 “ceiv’d this assurance, which he had so much reason to depend
 “upon, by the treatment the Lord *Digby* had receiv’d, he de-
 “clared, “he would, upon such a day, go to *Beverly*, a place
 “within four Miles of *Hull*; and appointed three or four Regi-
 “ments of the Country, under the Command of such Gentle-
 “men whose Affection was unquestionable, to March thither, as
 “a Guard to his Person; and likewise sent a little Train of Ar-
 “tillery,

Whereupon
the King
goes to Be-
verly with
design upon
Hull, but
is vain.

tillery, which might be ready for the Summons. When his Majesty was ready with this Equipage for his March, the Lord Digby return'd again in his old disguise to *Hull*, to make sure that all things there might correspond with the former obligation. As soon as the King, and the whole Court (for none remain'd in *York*) came to *Beverly* (where they were all accommodated, which kept them from being quickly weary) and the Train'd-bands were likewise come thither, the General, the Earl of *Lindsey*, first took possession of his Office; a little troubled, and out of countenance, that he should appear the General without an Army; and be engaged in an Enterprize, which he could not imagine would succeed. His Majesty order'd him to send out some Officers, of which there was a good store, to take a view of the Town, and of such advantage ground, within distance, upon which he might raise a Battery; as if he meant on a sudden to Assault the place; which appear'd no unreasonable design, if there were a good Party in the Town to depend upon. And yet the General had no opinion, that his Army of Train'd-bands would frankly expose themselves to such an Attack: Besides a great number of Officers, and Persons of Quality, who were all well Horsed, and had many Servants as well provided, the King had his Troop of Guards so constituted, as hath been said before; and there were few Horse in *Hull*, and those without Officers who understood that kind of Service. So that it was no hard matter to take a very full view of the Town, by Riding to the very Ports, and about the Walls; nor, at first appearance, was there any shew of Hostility from the Town upon their nearest approaches to it; but after they had made that visit two or three days together, they observ'd that the Walls were better Mann'd, and that there was every day an increase of labourers repairing the Works; and then they begun to Shoot, when any went within distance of the Works.

ALL this while *Sr John Hotham* had tryed some of his Officers, in whose particular Affection he had most Confidence, how far they were like to be govern'd by him; and found them of a temper not to be rely'd upon. His Son was grown jealous of some design, and was Caballing with those who were most noxious for their disaffection to the Government; and new Officers were sent down, by the Parliament, to assist in the defence of the Town, which, they thought, might probably be attempted; and supplies of Men had been taken in from the Ships, and had been sent thither from *Boston*, a Town, upon the same Coast, of eminent Disloyalty. So that, when the Lord Digby return'd thither, he found a great damp upon the spirit of the Governour, and a sadness of mind, that he had proceeded so far; of which his Lordship made all the hast
he

he could to advertise the King; but his Letters must first be sent to *York* before they could come to *Beverly*; and, when they were receiv'd, they contain'd still somewhat of hope, "that he should be able to restore him to his former Courage, "and confirm his Resolution: So that the King seem'd to defer any attempt, upon the hopes of the Earl of *Holland's* Message before mention'd, and, in the end, he was compell'd to give over the design, all hope from the Governour growing desperate; whether from his want of Courage, or want of Power to execute what he desir'd, remains still uncertain. When *St. John: Hotbam* gave over further thoughts of it, he dismissed both the Lord *Digby* and Coll. *Alburnham*, whom he had likewise detain'd till then, as a Man of use in the execution of the design, with many professions of Duty to the King; and as the concealing these two Persons, and afterwards releasing them, immediately increased the jealousy of the Parliament against him, so it was the Principal Cause, afterwards, of the loss of his Head.

THE King dismissed the Train'd-bands, and return'd with his Court to *York*, in so much less Credit than when he came from thence, as the entering into a War without Power, or Preparation to prosecute it, was like to produce. The inconvenience was the greater, because the principal Persons of Quality, of Court or Country, and the Officers, had the less reverence for the King's Conduct, by seeing such an Action enter'd upon with so little Reason, and prosecuted so perfunctorily: All which reproaches his Majesty thought fitter to bear, than to discover the Motives of his Journey; which were then known to few, nor, to this day, have been published.

WHEN the King return'd to *York*, exceedingly troubled at the late March he had made; and all Men expressing great impatience to be in Action, very many Persons of Honour and Quality, having attended long at Court, believing they might be more useful to his Majesty's Service in their own Countries, in restraining the disaffected from any Seditious Attempts, and disposing the People in general to be constant in their Loyalty, an Accident fell out, that made it absolutely necessary for the King to declare the War, and to enter upon it, before he was in any degree ripe for Action; which was, that *Portsmouth* had declar'd for the King, and refused to submit to the Parliament; which had thereupon sent an Army, under the Command of *St. William: Waller*, to reduce it. The relating how this came to pass, requires a large discourse, and will administer much variety, not without somewhat of pleasure and wonder, from the temper and spirit of the Person who conducted that Action; if it can be said to be conducted without any Conduct.

Coll. Goring, as Portsmouth, declares for the King.

WE have remember'd before, in the last Year, the discourse
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of the bringing up the Army to *London* to awe the Parliament, and the unspeakable dishonour, and damage the King sustain'd by that discourse, how groundless soever it was, all which was imputed to Coll. *Goring*, who, by that means, grew into great Reputation with the Parliament, as a Man so irrecoverably lost at Court, that he would joyn with them in the most desperate designs; yet he carried himself with so great dexterity, that, within few Months, he wrought upon the King and Queen to believe, that he so much repented that Fault, that he would redeem it by any Service; and to trust him to that degree, that the Queen, once, resolv'd, when the Tumults drove their Majesties first from *London*, for her security, to put her self into *Portsmouth*, which was under his Government; whilst his Majesty betook himself to the Northern parts; which design was no sooner over (if not before) than he, again, intimated so much of it to the Lord *Kendalton*, and that Party, that they took all the Trust he had from Court, to proceed from the Confidence their Majesties had of his Father's interest in him; whose Affection and Zeal to their Service was ever most indubitable: but assured themselves, He was their own, even against his own Father. So that he carried the matter so, that, at the same time, he receiv'd 3000*l* from the Queen (which she rais'd by the sale of her Plate, and some Jewels) to Fortify, and Victual, and Reinforce his Garrison, against the time it should be necessary to declare for the King; and a good supply from the Parliament, for the payment of the Garrison, that it might be kept the better devoted to Them, and to Their Service. All which he perform'd with that admirable dissimulation, and rare confidence, that, when the House of Commons was inform'd by a Member, whose Zeal, and Affection to them was as much valued as any Man's, "that all his correspondence in the Country was with the most Malignant Persons; that of those, many frequently resorted to, and continued with him in the Garrison; that he was Fortifying, and raising of Batteries towards the Land: And that, in his discourse, especially in the seasons of his good fellowship, he used to utter threats against the Parliament, and sharp censures of their Proceedings, and upon such Informations (the Author whereof was well known to them, and of great Reputation; and liv'd so near *Portsmouth*, that he could not be mistaken, in the matter of fact) the House sent for him, most thinking he would refuse to come; Colonel *Goring* came, upon the Summons, with that undauntedness, that all clouds of distrust immediately vanished, insomuch as no Man presum'd to whisper the least jealousy of him; which he observing, came to the House of Commons, of which he was a Member; and, having sat a day or two patiently,

tiently, as if he expected some Charge, in the end he stood up, with a Countenance full of Modesty, and yet not without a mixture of Anger (as he could help himself with all the insinuations of doubt, or fear, or shame, or simplicity in his face, that might gain belief, to a greater degree than I ever saw any Man; and could seem the most confounded when he was best prepar'd, and the most out of Countenance when he was best resolv'd, and to want words, and the habit of speaking, when they flow'd from no Man with greater power) and told them, "that he had been sent for by them, upon some information given against him, and that, though he believ'd, the Charge being so ridiculous, they might have receiv'd, by their own particular inquiry, satisfaction; yet the discourses that had been used, and his being sent for in that manner, had begot some Prejudice to him in his Reputation; which if he could not preserve, he should be less able to do Them Service; and therefore desired, that he might have leave (though very unskilful, and unfit to speak, in so Wise and Judicious an Assembly) to present to them the state and condition of that Place under his Command; and then he doubted not but to give them full satisfaction in those particulars, which, possibly, had made some impression in them to his disadvantage: That he was far from taking it ill from those, who had given any information against him; for, what he had done, and must do, might give some Umbrage to well affected Persons, who knew not the grounds and reasons, that induced him so to do; but that if any such Person would, at any time, resort to him, he would clearly inform them of whatever Motives he had; and would be glad of their Advice, and Assistance for the better doing thereof. Then he took notice of every particular that had been publickly said against him, or privately whisper'd, and gave such plausible Answers to the whole, intermingling sharp Taunts, and Scorns, to what had been said of him, with pretty application of himself, and flattery to the Men that spoke it: Concluding, "That they well knew, in what esteem he stood with others: so that if, by his ill Carriage, he should forfeit the good opinion of that House, upon which he only depended, and to whose Service he entirely devoted himself, he were madder than his Friends took him to be, and must be as unpitied in any misery, that could befall him, as his Enemies would be glad to see him. With which, as innocently and unaffectedly utter'd, as can be imagin'd, he got so general an Applause from the whole House, that, not without some little Apology for troubling him, "They desired him again to repair to his Government, and to finish those Works, which were necessary for the safety of the Place; and gratified him with
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consenting to all the Propositions, he made in behalf of his Garrison, and paid him a good Sum of Money for their Arrears; with which, and being privately assured (which was indeed resolv'd on) that he should be Lieutenant General of their Horse in their new Army, when it should be form'd, he departed again to *Portsmouth*; in the mean time, assuring his Majesty by those who were trusted between them, "That he would be speedily in a Posture to make any such Declaration for his Service, as he should be requir'd; which he was forced to do sooner than he was provided for it, though not sooner than he had reason to expect.

WHEN the Levies for the Parliament Army were in good forwardness, and that Lord had received his Commission for Lieutenant General of the Horse, he wrote to the Lord *Kimbolton*, who was his most bosome Friend, and a Man very powerful, desiring, "That he might not be call'd to give his attendance upon the Army, till it was ready to March; because there were so many things to be done, and perfected, for the safety of that important Place, that he was desirous to be present Himself at the work as long as was possible. In the mean time, he had given directions to his Agent in *London*, to prepare all things for his Equipage; so that he would be ready to appear, at any Rendezvous, upon a day's warning. Though the Earl of *Essex* did much desire his Company, and Assistance in the Council of War, and preparing the Articles, and forming the Discipline for the Army, he having been more lately versed in the Order and Rule of Marches, and the Provisions necessary, or convenient thereunto, than any Man then in their Service, and of greater Command than any Man but the General; yet the Lord *Kimbolton* prevail'd, that he might not be sent for, till things were riper for Action. And, when that Lord did afterwards write to him, "That it was time he should come away, he sent such new, and reasonable excuses, that they were not unsatisfied with his delay; till he had multiplied those excuses so long, that they began to suspect; and they no sooner inclined to suspicion but they met with abundant Arguments to cherish it. His behaviour and course of Life was very notorious to all the Neighbours, nor was he at all reserv'd in his Mirth, and publick Discourses, to conceal his opinion of the Parliament, and their Proceedings. So that, at last, the Lord *Kimbolton* writ plainly to him, "That he could no longer excuse his absence from the Army, where he was much wanted; and that, if he did not come to *London* by such a short day, as he named, he found his Integrity would be doubted; and that many things were laid to his Charge, of which he doubted not his Innocence; and therefore conjured him, immediately,

“to be at *Westminster*; it being now to be no longer deferr’d, “or put off. He writ a jolly Letter to that Lord, “that, the “truth was, his Council advis’d him, that the Parliament did “many things which were illegal; and that he might incur “much danger by obeying all their Orders; that he had received the Command of that Garrison from the King; and “that he durst not be absent from it, without His leave: And concluded with some good Counsel to the Lord.

THIS Declaration of the Governour of a Place, which had the reputation of being the only Place of strength in *England*, and situated upon the Sea, put them into many apprehensions; and they lost no time in endeavouring to reduce it; but, upon the first understanding his Resolution, *St William Waller* was sent, with a good part of the Army, so to block it up, that neither Men, nor Provision, might be able to get in; and some Ships were sent from the Fleet, to prevent any relief by Sea: And these Advertisements came to the King, as soon as he return’d to *Tork*.

IT gave no small Reputation to his Majesty’s Affairs, when there was so great a damp upon the spirits of Men, from the misadventures at *Beverly*, that so notable a Place as *Portsmouth* had declared for him, in the very beginning of the War; and that so good an Officer as *Goring*, was return’d to his Duty, and in the possession of the Town: And the King, who was not surpris’d with the matter, knowing well the Resolution of the Colonel, made no doubt, but that he was very well supplied with all things, as he might well have been, to have given the Rebels work for three, or four Months, at the least. Whereupon, he forthwith publish’d a Declaration, that had been long ready, in which he recapitulated all the Insolent, and Rebellious Actions the two Houses had committed against him: and declared them “to be guilty; and “forbid all his Subjects to yield any obedience to them: And, at the same time, published his Proclamation; by which, he “required all Men, who could bear Armes, to repair to him “at *Nottingham*, by the 25th of *August* following; on which “day, he would set up his Royal Standard there, which all “good Subjects were obliged to attend. At the same time, he sent the Marquis of *Hertford* to raise Forces in the West, or, at least, to restrain those parts (where His Interest, and Reputation was greater than any Man’s) within the limits of their Duty to the King, and from being corrupted, or perverted by the Parliament; and with him went the Lord *Seymour*, his Brother; the Lord *Pawlet*, *Hopton*, *Stawel*, *Coventry*, *Berkeley*, *Windham*, and some other Gentlemen, of the prime Quality, and Interest in the Western parts; who were like to give as good examples in their Persons, and to be follow’d by

as many Men, as any such Number of Gentlemen in *England*, could be. And from this Party, enliven'd by the Power, and Reputation of the Marquis, the King was in hopes, that *Portsmouth* would be shortly relieved, and made the head Quarter to a good Army. When all this was done, he did all that was possible to be done, without Money, to hasten his Levies of Horse and Foot, and to prepare a light Train of Artillery; that he might appear at *Nottingham*, at the day when the Standard was to be set up, with such a Body of Men, as might be, at the least, a competent Guard to his Person.

MANY were then of opinion, "that it had been more for his Majesty's Benefit and Service, if the Standard had been appointed to be set up at *York*; and so that the King had stay'd there, without moving further South, until he could have marched in the Head of an Army, and not to depend upon gathering an Army up in his March. All the Northern Counties were, at present, most at his devotion; and so it would be most easy to raise Men there: *New-Castle* was the only Port in his obedience, and whither he had appointed his supplies of Armes, and Ammunition to be sent; of which he had so present need, that all his Magazine, which was brought in the *Providence*, was already distributed to those few Gentlemen, who had received Commissions, and were most like speedily to raise their Regiments; and it would be a very long, and might prove a very dangerous passage to get the supplies, which were daily expected, to be brought with security from *New-Castle*, when the King should be advanced so many days Journey beyond *York*. All which were very important Considerations, and ought to have prevailed; but the King's inclination to be nearer *London*, and the expectation he had of great effects from *Portsmouth*, and the West, disposed him to a willingness to prefer *Nottingham*; but that which determin'd the Point, was an apparent, and manifest aversion in the *York-shire* Gentlemen, whose affections were least suspected, that his Majesty should continue, and remain at *York*; which, they said, the People apprehended, would inevitably make that Country the seat of the War: unskilfully imagining, that the War would be no where, but where the King's Army was; and therefore they facilitated all things, which might contribute to his remove from thence; undertook, to provide Convoys for any Armes and Ammunition from *New-Castle*; to hasten the Levies in their own Country; and to borrow the Armes of some of the Train'd-bands; which was the best expedient, that could be found out, to arm the King's Troops, and had it's reverse in the murmurs it produced, and in leaving the best affected Men, by being disarm'd, at the Mercy of their Enemies; who carefully

fully kept their Weapons, that they might be ready to fight against the King. This caused the resolution to be taken for *Nottingham*, without enough weighing the objections, which, upon the Entrance into great Actions, cannot be too much deliberated, though, in the Execution, they were best shut out. And it quickly appear'd in those very Men, who prevail'd most in that Council; for, when the time drew on, in which his Majesty was to depart, and leave the Country, Then they remember'd, "that the Garrison of *Hull* would be left as a "thorn in their sides, where there were well form'd, and "active Troops, which might march over the Country without control, and come into *Tork* it self without resistance: "That there were many disaffected Persons of Quality, and "Interest in the Country, who, as soon as the King should be "gone, would appear amongst their Neighbours, and find a "concurrence from them in their worst designs; and that there "were some places, some whole Corporations, so notoriously "disaffected, especially in matters relating to the Church, "that they wanted only Conductors to carry them into Rebellion.

THESE, and the like reflections, made too late impressions upon them; and Now, too much, they magnified this Man's power, whom before they contemn'd; and doubted that Man's Affection, of which they were before secure; and made a thousand Propositions to the King this day, whereof they rejected the greatest part to morrow; and, as the day approached nearer for the King's departure, their apprehensions and irresolutions increased. In the end, they were united in two Requests to the King; that "he would commit the supreme "Command of the Country, with reference to all Military Affairs, to the Earl of *Cumberland*; and qualify him, with an "ample Commission, to that purpose. The other, "that his "Majesty would command *St Thomas Glenham* to remain "with them, to govern and command such Forces, as the Earl "of *Cumberland* should find necessary for their defence. And this Provision being made by the King, they obliged themselves to concur in making any preparations, and forming any Forces the Earl should require. His Majesty, as willingly, gratified them in both their desires. The Earl of *Cumberland* was a Man of great Honour and Integrity, who had all his Estate in that Country, and had lived most amongst them, with very much acceptance, and affection from the Gentlemen, and the Common People: but he was not, in any degree, active, or of a Martial temper; and rather a Man more like not to have any Enemies, than to oblige any to be firmly, and resolutely his Friends, or to pursue his Interest: The great Fortune of the Family was divided, and the greater part of it carried away
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by an Heir Female; and his Father had so waisted the remainder, that the Earl could not live with that lustre, nor draw so great a dependence upon him, as his Ancestors had done. In a word, he was a Man of Honour, and Popular enough in Peace, but not endued with those parts which were necessary for Such a Season. *Sr Thomas Glenham* was a Gentleman of a noble extraction, and a fair Fortune, though he had much impaired it; he had spent many years, in Armies, beyond the Seas; and he had been an Officer of very good esteem in the King's Armies, and of courage, and Integrity unquestionable; but was not of so stirring and active a nature, as to be able to infuse Fire enough into the Flegmatick constitutions of that People, who did rather wish to be Spectators of the War, than Parties in it; and believed, if they did not provoke the other Party, they might all live quietly together; until *Sr John Hotbam*, by his excursions, and depredations out of *Hell*, and their seditious Neighbours, by their Insurrections, awaken'd them out of that Pleasant Dream. And then the greatest part of the Gentry of that Populous Country, and very many of the Common People, did behave themselves with signal Fidelity, and Courage in the King's Service: Of all which Particulars, which deserve well to be remember'd, and transmitted to Posterity, there will be occasion to make mention, in the following Discourse.

YET I cannot leave *York* without the mention of one Particular; which, in truth, is a lively Instance of the Spirit and Temper of that time, and was a sad Prefage of all the misfortunes which follow'd. There were very few Gentlemen, or Men of any Quality, in that large County, who were actively or factiously disaffected to his Majesty; and of those the Lord *Fairfax*, and his Son, *Sr Thomas Fairfax*, were the chief; who were govern'd by two or three, of inferiour Quality, more conversant with the People; who were as well known as They. All these were in the Country, at their Houses, within few miles of *York*; and the King resolved, at his going away, to have taken them all Prisoners, and to have put them in safe Custody; by which, it was very probable, those mischiefs, that shortly after broke out, might have been prevented. But the Gentlemen of the County, who were met together to consult for their own security, hearing of this Design, besought his Majesty "Not to do it; alledging, "that he would, there-
"by, leave them in a worse condition, by an Act so ungracious, and unpopular; and that the disaffected would be so
"far from being weaken'd, that their Party would be increased thereby: many really believing, that neither Father nor Son were transported with over-vehement inclinations to the Parliament; but would willingly sit still, without being Active

on either side; which, no doubt, was a Policy, that many, of those, who wished well, desired and intended to be safe by. And so his Majesty left *York*, taking with him only two or three of inferior rank (whereof one *Stapleton* was one) who were known to have been very active in stirring the People to Sedition; and yet, upon some specious pretences, some very good Men were persuaded, within few days, to procure the Liberty and Enlargement even of those from his Majesty. So ticklish were those times, and so wary were all Men to advise, the King should do any thing, which, upon the strictest inquisition, might seem to swerve from the strict rule of the Law; believing, unreasonably, that the softest and gentlest Remedies might be most wholesomely applied to those rough, and violent Diseases.

THE King came to *Nottingham* two or three days before the day he had appointed to set up the Standard; having taken *Lincoln* in his way, and drawn some Armes from the Train'd-bands of that Country with him to *Nottingham*; from whence, the next day, he went to take a view of his Horse; whereof there were several Troops well arm'd, and under good Officers, to the number of seven or eight hundred Men; with which, being inform'd, "that there were some Regiments of Foot marching towards *Coventry*, by the Earl of *Essex* his Orders, he made hast thither; making little doubt, but that he should be able to get thither before them, and so to possess himself of that City; and he did get thither the day before they came; but found, not only the Gates shut against him, but some of his Servants shot, and wounded from the Walls: Nor could all his Messages, and Summons prevail with the Mayor and Magistrates, before there was any Garrison there, to suffer the King to enter into the City. So great an Interest, and Reputation the Parliament had gotten over the Affections of that People, whose hearts were alienated from any reverence to the Government.

THE King could not remedy the Affront, but went that night to *Stonely*, the House then of *St Thomas Lee*; where he was well receiv'd; and, the next day, his Body of Horse, having a clear view, upon an open Campania, for five or six miles together, of the Enemies small Body of Foot, which consisted not of above twelve hundred Men with one Troop of Horse, which Marched with them over that plain, retired before them, without giving them one Charge; which was imputed to the ill conduct of *Wilmot*, who Commanded; and had a colder Courage, than many who were under him, and who were of opinion, that they might have easily defeated that Body of Foot: Which would have been a very seasonable Victory; would have put *Coventry* unquestionably into the

the King's hands, and sent him with a good Omen to the setting up of his Standard. Whereas, that unhappy Retreat, which looked like a Defeat, and the Rebellious behaviour of *Country*, made his Majesty's return to *Nottingham* very Melancholy; whither he return'd the very day the Standard was appointed to be set up.

The King's
Standard set
up at Not-
tingham,
Aug. 25.
1642.

ACCORDING to the Proclamation, upon the twenty fifth day of *August*, the Standard was erected, about six of the Clock in the evening of a very stormy, and tempestuous day. The King himself, with a small train, rode to the top of the *Castle Hill*, *Vernoy* the Knight-Marshal, who was Standard Bearer, carrying the Standard, which was then erected, in that place, with little other Ceremony than the sound of Drums, and Trumpets: Melancholy Men observ'd many ill Presages about that time. There was not one Regiment of Foot yet brought thither, so that the Train'd-bands, which the Sheriff had drawn together, were all the strength the King had for his Person, and the Guard of the Standard. There appear'd no Conflux of Men in obedience to the Proclamation; the Armes, and Ammunition were not yet come from *Tork*, and a General Sadness cover'd the whole Town. The Standard was blown down, the same night it had been set up, X by a very strong and unruly wind, and could not be fixed again in a day or two, till the tempest was allayed. This was the Melancholy State of the King's Affairs, when the Standard was set up.

almost Horizontal
of Mr Aubrey, in his
Clarke 2 Wit. p. 39
says, we told him by Col. Harrington that these were
says he these did take to be an ill omen.

THE END OF THE FIFTH BOOK.







